



CRL OP(MD). No.12566 of 2025

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 19/08/2025

PRESENT

THE HONOURABLE MR. JUSTICE P. VADAMALAI

CRL OP(MD). No.12566 of 2025

and

CRL MP(MD). No.10475 of 2025

1.N.Seenivasagan,
S/o.Nagarajan

2.A.Manivannan,
S/o.Alagesan

3.K.Silambarasan,
S/o.Kannan

4.K.Nithishkumar,
S/o.Kannan

... Petitioners/ A3 to A6

Vs

The State of Tamil Nadu,
Rep. by, the Sub-Inspector of Police,
Vadipatti Police Station,
Madurai.
(Crime No.199 of 2025)

... Respondent/Complainant

For Petitioners : Mr.S.Chandrasekaran,
Advocate

For Respondent : Mr.S.Prakash,
Government Advocate (Crl.Side)

For Intervenor : Mr.S.MP.Amalan,
Advocate

PETITION FOR ANTICIPATORY BAIL Under Sec.482 of BNSS



CRL OP(MD). No.12566 of 2025

PRAYER :-

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For Anticipatory Bail in Crime No.199 of 2025 on the file of the Respondent Police.

ORDER : The Court made the following order :-

The petitioners/A3 to A6, who apprehend arrest at the hands of the respondent police for the offences punishable under Sections 191(2), 296(b), 329(3), 303(2), 324(2) and 351(2) of BNS, 2023 r/w. Section 4 of the Tamil Nadu Prohibition of Harassment of Women Act, 1998 in Crime No.199 of 2025 on the file of the respondent police, seek anticipatory bail.

2. The case of the prosecution is that on 02.07.2025, while the de-facto complainant was returning from attending a tenancy case before the Tahsildar, Vadipatti, she found that the 2nd accused, along with the other accused, had trespassed into her land, cut down and stolen the trees, and caused damage using a JCB. When questioned, the 2nd accused claimed that he had been executing the work under the instructions of the 1st accused. It is further alleged that the 2nd accused criminally intimidated the de-facto complainant using filthy language. Hence, the present case was registered.

3. The learned counsel appearing for the petitioners submitted that the 1st accused is the cultivating tenant of an extent of 7.92 acres in Thanichiyam Village, which belongs to the family of the de-facto complainant, in respect of which he has



CRL OP(MD). No.12566 of 2025

WEB COPY

preferred a case before the Tahsildar, Vadipatti, which is pending disposal. Since the 1st accused has been receiving repeated threats of dispossession from the said lands, he has also filed a civil suit in O.S.No.115 of 2024 before the District Munsif Court, Vadipatti, seeking a permanent injunction, which is pending as well. It was further submitted that the 1st accused owns 30 cents of land in Patta No.6370, situated in front of the lands of the de-facto complainant. For want of a pathway to access those lands, the de-facto complainant's husband, who is a retired DIG (Jail Department), has been threatening the 1st accused to sell the land to him for pathway purposes, which the 1st accused refused. Despite the 1st accused lodging several complaints before the respondent police in this regard, no action has been taken.

4. He further submitted that the 2nd accused, who is the driver of the JCB, was instructed by the 1st accused to clear the Seemai Karuvela trees, which had been planted by the de-facto complainant's husband with the intention of preventing the 1st accused from cultivating his land. The 1st and 2nd accused, along with the petitioners, had only cleared the Seemai Karuvela trees from the patta land of the 1st accused. He submitted that the petitioners are innocent persons and have not committed any offence as alleged by the prosecution. However, the petitioners are willing to abide by any conditions that may be imposed by this Court. Hence, he seeks anticipatory bail for the petitioners.



CRL OP(MD). No.12566 of 2025

WEB COPY

5. The learned counsel for the intervenor submitted that the stolen trees and the JCB have not yet been recovered by the respondent police. He further submitted that the accused caused damage to the tune of Rs.1,50,000/-. If the accused are granted anticipatory bail, they may abscond. Therefore, custodial interrogation of the accused is very much necessary. Hence, he strongly opposed to grant anticipatory bail to the petitioners.

6. The learned Government Advocate (Crl. side) submitted that the issue pertains to a civil dispute. There are totally six accused persons in this case and the petitioners have been arrayed as A3 to A6. He further submitted that no one sustained any injuries due to the incident. However, he opposed to grant anticipatory bail to the petitioners.

7. Taking into consideration of the facts and circumstances of the case, the nature of the offence, and also taking note of the fact that the issue pertains to a civil dispute, and that no one sustained any injuries due to the incident, and that as the date of registration of FIR is 19.07.2025, by this time material part of the investigation might have been completed, this Court is of the view that custodial interrogation of the petitioners is not necessary. Hence, this court is inclined to grant anticipatory bail to the petitioners, subject to certain conditions.

8. Accordingly, the petitioners are ordered to be released on bail in the event of



CRL OP(MD). No.12566 of 2025

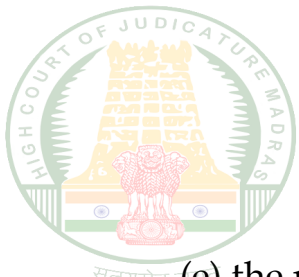
arrest or on their appearance, within a period of fifteen days from the date of receipt of a copy of this order, before the learned Judicial Magistrate, Vadipatti, Madurai District on condition that the petitioners shall execute a bond for a sum of Rs.25,000/- (Rupees Twenty Five Thousand only) each with two sureties each for a like sum to the satisfaction of the respondent police or the police officer who intends to arrest or to the satisfaction of the learned Judicial Magistrate, Vadipatti, Madurai District, failing which, the petition for anticipatory bail shall stand dismissed and on further condition that:

(a) the petitioners and the sureties shall affix their photographs and left thumb impression in the surety bond and the Magistrate may obtain a copy of their Aadhar card or Bank pass Book to ensure their identity;

(b) the petitioners shall furnish their residential address and mobile number to the learned Judicial Magistrate, Vadipatti, Madurai District. In the event of any change in their residential address, the petitioners shall report the same to the learned Judicial Magistrate, Vadipatti, Madurai District;

(c) the petitioners shall report before the respondent police daily at 10.30 a.m. until further orders;

(d) the petitioners shall not tamper with evidence or witness either during investigation or trial;



CRL OP(MD). No.12566 of 2025

WEB COPY

(e) the petitioners shall not abscond either during investigation or trial;

(f) on breach of any of the aforesaid conditions, the learned Magistrate/ Trial Court is entitled to take appropriate action against the petitioners in accordance with law as if the conditions have been imposed and the petitioners released on bail by the learned Magistrate/Trial Court themselves as laid down by the Hon'ble Supreme Court in P.K.Shaji Vs. State of Kerala [(2005) AIR SCW 5560] and;

(g) if the accused/petitioners thereafter abscond, a fresh FIR can be registered under Section 269 of BNS, 2023.

9. Accordingly, this Criminal Original Petition is allowed. Consequently, the connected Criminal Miscellaneous Petition is closed.

sd/-
19/08/2025

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/09/2025

Sub-Assistant Registrar
(C.S. I / II / III / IV)
Madurai Bench of Madras High Court,
Madurai - 625 023.

mkn

TO

1.The Judicial Magistrate,
Vadipatti, Madurai District.



CRL OP(MD). No.12566 of 2025

2.The Sub-Inspector of Police,
Vadipatti Police Station,
Madurai.

3.The Additional Public Prosecutor,
Madurai Bench of Madras High Court, Madurai.

+1 CC to M/s.S.CHANDRASEKARAN, Advocate (SR-8976[I] dated 20/08/2025)

ORDER
IN
CRL OP(MD) No.12566 of 2025
Date :19/08/2025

SBN/10.09.2025 7P/5C

Madurai Bench of Madras High Court is issuing certified copies in this format from 17/07/2023