



Crl.O.P.(MD)No.22236 of 2025

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 08.12.2025

PRESENT

The HONOURABLE MRS.JUSTICE S.SRIMATHY

CRL OP(MD)No.22236 of 2025

1. Vijayendran
2. Vimalrajan
3. Ravi
4. Seenivasan

... Petitioners

Vs.

State of Tamil Nadu,
Rep. by the Inspector of Police,
Thirumangalam Town Police Station,
Thirumangalam,
Madurai District.
(Crime No.396 of 2025)

... Respondent

For Petitioners : Mr.M.Natarajan

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

For Intervener : Mr.S.Prabhu

PETITION FOR ANTICIPATORY BAIL Under Sec.482 of BNSS

PRAYER :-

For Anticipatory Bail in Cr.No.396 of 2025 on the file of the respondent police.



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ORDER: The Court made the following order :-

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The petitioners, who apprehend arrest at the hands of the respondent police for the offences punishable under Sections 191(2), 329(3) and 303(2), of BNS, 2023, in Crime No.396 of 2025, on the file of the respondent police, seek anticipatory bail.

2.The case of the prosecution is that the de-facto complainant's wife is entitled to a land in Survey No.113/6, Thirumangalam Municipality to an extent of 5 1/4 cents having purchased the same in the year 2022. The patta was also made in the de-facto complainant's wife name. On 04.09.2025, the petitioners trespassed in the above said lands. Hence, FIR was filed against the petitioners in Crime No.318/2025 under Sections 191(2), 296(b), 127(2), 115(2) and 351(2) of BNS Act. Later, the 1st petitioner was granted anticipatory bail with the condition not to disturb the de-facto complainant. While so on 28.10 2025, at about 9. a.m., the de-facto complainant's father-in-law informed the de-facto complainant that somebody trespassed into the said lands last night and stole away wires worth Rs.20,000/- breaking open the motor shed. The de-facto complainant immediately visited the lands. On enquiry with the nearby land owners, they informed that the petitioners 1 to 4 had trespassed into the said lands. Hence, the apprehension of arrest. Hence, a case has been registered as



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against the petitioners.

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3.The learned counsel appearing for the petitioners submitted that the petitioners have been falsely implicated in this case and they have not committed any offence. He seeks this Court to grant anticipatory bail to the petitioners.

4.The learned Government Advocate (Crl. side) appearing for the respondent submitted that the offences committed by the petitioners are serious in nature. Further, there are four previous cases against the petitioners.

5.The defacto complainant appeared before this Court as intervener and the intervener vehemently objected for considering the anticipatory bail and submitted that already a suit in O.S.No.385 of 2022, on the file of the Additional District Court, Madurai, was filed and the said suit ended in favour of the defacto complainant. In spite of the same, the petitioners are interfering with the possession and enjoyment of the property. Specifically, the petitioners are removing the fence which has been put up by the defacto complainant. Further, the defacto complainant submitted that already there are 4 FIRs. But it is seen that all the 4 FIRs are arising from the same cause of action which is a



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continuous offense committed by the petitioners.

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6.Considering the facts and circumstances of the case, this Court is inclined to grant anticipatory bail to the petitioners with certain strict conditions.

7.Accordingly, the petitioners are ordered to be released on bail in the event of arrest or on their appearance, on condition that the petitioners shall execute a bond for a sum of Rs.10,000/-(Rupees Ten Thousand only) each with two sureties each for a like sum to the satisfaction of the Learned Judicial Magistrate, Thirumangalam, within a period of fifteen days from the date on which the order copy made ready and on further conditions 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 Aadhaar card or bank pass book to ensure their identity.

[b] the petitioner is directed to deposit a sum of Rs.10,000/- (Rupees Ten Thousand Only), to the credit of Crime No.396 of 2025 before the learned Judicial Magistrate, Thirumangalam. After receipt of entire amount, the learned Judicial Magistrate, shall deposit the said amount in an interest bearing Fixed Deposit in any Nationalized Bank initially for a period of one year and



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renew them periodically until the final order/Judgment is passed in the case in Crime No.396 of 2025. The learned Judicial Magistrate or Trial Court shall pass orders regarding entitlement of the said amount in its final order/Judgment.

[c]The petitioners shall not remove the fence which is put up by the defacto complainant and the petitioners shall not enter the disputed spot. The petitioners are at liberty to seek remedy before the Civil Court. Unless a civil decree is in favour of the petitioners, the petitioners shall not disturb the possession of the defacto complainant.

[d]the petitioners shall report before the respondent police daily at 10.30 a.m., for a period of two weeks and thereafter, as and when required.

[e]the petitioners shall not tamper with the evidence or witness either during investigation or trial.

[f]the petitioners shall not abscond either during investigation or trial.

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



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[h]If the accused thereafter absconds, a fresh FIR can be registered under

Section 269 of BNS.

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TO

1. Judicial Magistrate,
Thirumangalam.

2.The Inspector of Police,
Thirumangalam Town Police Station,
Thirumangalam,
Madurai District.

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



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S.SRIMATHY,J

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ORDER
IN
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