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Crl.O.P.No.956 of 2026

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 12.01.2026

CORAM

THE HONOURABLE MR JUSTICE K. RAJASEKAR

CRL OP NO.956 of 2026

1. Thimmarayappa S/o.Thimmappa
2. Beerangiyappa @ Madesh S/o.Thimmappa

... Petitioners / A1 & A2

Vs

The State Rep. By,
The Inspector of Police,
Denkanikottai Police Station,
Krishnagiri District.
(Crime No.367 of 2025)

... Respondent/ Complainant

PRAYER: Criminal Original Petition filed under Section 482 of Bharatiya Nagarik Suraksha Sanhita, 2023, pleased to enlarge the petitioners herein on anticipatory bail in the event of their arrest by the respondent in Crime No.367 of 2025 on the file of the respondent police.

For Petitioners : Mr. Dr.Babu G

For Respondent : M/s. J.R. Archana
Government Advocate (Crl.Side)

ORDER

The petitioners herein, who apprehend arrest at the hands of the respondent police for the offences punishable under Sections 329(3) and 303(2) of the BNS, 2023, in Crime No.367 of 2025 on the file of the respondent Police, seek



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anticipatory bail.

2. The case of the prosecution is that the petitioners along with other accused destroyed the boundary stones and iron fence installed by the defacto complainant and stolen property worth a sum of Rs.45,000/- and hence the case.

3. The learned counsel for the petitioners submitted that it is the second bail application filed by the petitioners herein and the petitioners are ready to deposit the entire value of the alleged property stolen to the credit crime number without prejudice to their claim and therefore, prays to grant anticipatory bail to the petitioners.

4. The learned Government Advocate (Crl. Side) appearing for the respondent police while opposing the anticipatory bail to the petitioners reiterated the prosecution case and submitted that the investigation of this case is pending. It is also stated that the value of the property stolen is about a sum of Rs.45,000/- and hence, the complaint.

5. Considering the submissions made, facts and circumstances of this case, nature of allegation and since the petitioners are willing to deposit the alleged



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theft amount without prejudice to their claim, this Court is inclined to grant anticipatory bail to the petitioners with certain conditions.

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6. Accordingly, the petitioners are ordered to be released on bail in the event of arrest or on their appearance, within a period of fifteen days from the date on which the order copy made ready, before the **learned Judicial Magistrate, Denkanikottai** on condition that the petitioners shall execute a bond for a sum of **Rs.15,000/- (Rupees Fifteen Thousand only) with two sureties each** for a like sum to the satisfaction of the learned Magistrate concerned and on further condition that:

[a] if the petitioners fail to surrender before the concerned Magistrate within a period of fifteen days from the date of receipt of copy of this order, this Order shall stand automatically cancelled;

[b] the sureties shall affix their photographs and Left Thumb Impression in the Application for Surety ship [Judicial Form No.46 annexed to 'The Criminal Rules of Practice, 2019']. The learned Magistrate shall obtain a copy of any one of the identity proofs to ensure their identity;

[c] the petitioners shall report before the respondent police



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daily at 10.30.a.m., for a period of two weeks and thereafter, as and when required for interrogation;

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[d] the petitioners are directed to deposit a sum of Rs.45,000/- to the credit of Crime No.367 of 2025 before the learned Judicial Magistrate, Denkanikottai and the proof of the same shall be produced at the time of execution of sureties before the learned Magistrate concerned.

[e] On breach of any of the aforementioned conditions, the learned Magistrate/Trial Court is entitled to pass appropriate orders against the petitioner in accordance with law as if the aforementioned conditions have been imposed and the petitioners 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)13 SCC 283]**;

[f] If the accused thereafter abscond, a fresh FIR can be registered under Section 269 of B.N.S.

12.01.2026

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K. RAJASEKAR, J.

ssa

To

1. The Judicial Magistrate , Denkanikottai
2. The Inspector of Police,
Denkanikottai Police Station,
Krishnagiri District.
(Crime No.367 of 2025)
3. The Public Prosecutor,
High Court of Madras.

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