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Crl.O.P.No.1574 of 2026

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 27.01.2026

CORAM

THE HONOURABLE MR. JUSTICE K.RAJASEKAR

Crl.O.P.No.1574 of 2026

- 1.Sivalingam
2. Balu @ Balakrishnan
3. Ganga
4. Chennammal
5. Chandran

... Petitioners

Vs.

The State of Tamil Nadu,
The Inspector of Police,
Kambainallur Police Station,
Dharmapuri District.
Crime No.09 of 2026

... Respondent

PRAYER : Criminal Original Petition filed under Section 482 of Bharatiya Nagarik Suraksha Sanhita, 2023, to enlarge the petitioners on anticipatory bail in the event of his arrest in Crime No.09 of 2026 on the file of the respondent police.

For Petitioners : Mr.Palanisamy

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

For Intervenor : Mr.P.Geethalakshmi
for Mr.J.Pradeep



Crl.O.P.No.1574 of 2026

WEB COPY

ORDER

The petitioners herein apprehend arrest at the hands of the respondent police for the offences punishable under Sections 324(2), 3(5) and 351(2) of BNS, 2023 in Crime No.09 of 2026, on the file of the respondent Police, seek anticipatory bail.

2. The allegation against the petitioners is that the petitioners joining hands with other accused involved in damaging the fence worth about Rs.6,250/-. Hence, the case.

3. The learned counsel appearing for the petitioners submitted that the petitioners are innocent persons and they have been falsely implicated in this case. He further submitted that, petitioners are ready to abide by any stringent condition that may be imposed by this Court. Hence, he prayed for grant of anticipatory bail to the petitioners.

4. The learned Government Advocate (Crl. Side) reiterated the prosecution case and submitted that petitioners have no previous cases. However, he opposed to grant bail to petitioners.



Crl.O.P.No.1574 of 2026

WEB COPY

5. The learned counsel appearing for the intervenor vehemently opposed for grant of anticipatory bail to the petitioners stating that, huge length of fencing was damaged by the petitioners.

6. Considering the nature of allegations and submissions made by the learned counsels on both sides and its a case of damaging the property hence, this Court is inclined to grant anticipatory bail to the petitioners with certain conditions:

7. Accordingly, **each of the petitioners shall deposit a sum of Rs.1,500/- to the credit of Crime No.09 of 2026 and on such deposit, the petitioners are ordered to be released on bail in the event of arrest or on his appearance, within a period of fifteen days from the date of receipt of a copy of this order, before the learned District Munsif Cum Judicial Magistrate, Karimangalam** on condition that each of 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 fails to surrender before the



Crl.O.P.No.1574 of 2026

concerned Magistrate within a period of fifteen days from the date of receipt of a 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 daily at 10.30.a.m., for a period of two weeks and thereafter as and when required for interrogation;

[d] On breach of any of the aforementioned conditions, the learned Magistrate/Trial Court is entitled to pass appropriate orders against the petitioners 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]**;

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

27.01.2026

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Crl.O.P.No.1574 of 2026

WEB COPY

To

1. District Munsif Cum Judicial Magistrate, Karimangalam
2. The Inspector of Police,
Kambainallur Police Station,
Dharmapuri District.
3. The Public Prosecutor,
High Court of Madras.



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Crl.O.P.No.1574 of 2026

K.RAJASEKAR, J.

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Crl.O.P.No.1574 of 2026

27.01.2026