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CrI.OP.No. 1887 of 2026

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 13-02-2026

CORAM

THE HONOURABLE MR.JUSTICE K.RAJASEKAR

CRL OP NO. 1887 of 2026

1.Pushparani
2.Suresh Kama
3.Vasanthakumar
4.Sebastian
5.Solomon Gnanaraj

Petitioners

Vs

The State rep. by
The Inspector of Police
Thiruvallam Police Station
Vellore District-632 515.

Respondent

PRAYER : Criminal Original Petition filed under Section 482 of Bharatiya
Nagarik Suraksha Sanhita, 2023, to enlarge the petitioners on bail in the
event of their arrest pending investigation in Cr.No. 200 of 2025 on the file
of the respondent police.

For Petitioner : Mr.Nalli Aravindasamy S.S.,
For Respondent : Ms.J.R.Archana
Government Advocate (Criminal Side)

ORDER

The petitioners, who apprehend arrest at the hands of the respondent
police for the offences punishable under Sections 191(2), and 329(3) of
BNS, 2023 and Section 3 of the Tamil Nadu Public Property (Prevention of
Damage and Loss) Act, 1992 in Crime No. 200 of 2025, on the file of the



respondent Police, seeks anticipatory bail.

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2. The allegation against the petitioners is that the petitioners jointly entered into the land reserved for allotment of depressed classes, started constructing a church and also illegally quarried sand from the Government land. When the Village Administrative Officer objected, the petitioners jointly threatened him with dire consequences. Hence, the complaint has been lodged.

3. The learned counsel for the petitioners submitted that due to a clerical error in the revenue records, the land is now being claimed by the Revenue Department. The petitioners have also started constructing the church premises and they are ready to co-operate with the investigation. Hence, he prays for grant of anticipatory bail to the petitioners.



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4. The learned Government Advocate (Criminal side) for the respondent police, reiterated the prosecution case and submitted that the petitioners not only encroached upon the property and illegally quarried sand from the Government land, but also started construction without obtaining any planning approval for constructing the church. It is a clear case of encroachment. Though it is submitted by the learned Counsel for the petitioner that there is a clerical error in the revenue records, the petitioners have not obtained any planning permission from the authority concerned. However, he opposed to grant anticipatory bail to the petitioners.

5. Considering the nature of the allegations, and that the petitioners had illegally quarried sand from the Government land and started constructing a church, this Court is of the view that if anticipatory bail is granted to the petitioners, they would indulge in similar offences in the future, hence, this Court is not inclined to grant anticipatory bail to the petitioners.



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6. Accordingly, this Criminal Original Petition is dismissed.

13.02.2026

MSM

To

1. The Inspector of Police
Thiruvalam Police Station
Vellore District-632 515.

2. The Public Prosecutor,
High Court of Madras.



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K.RAJASEKAR, J.

MSM

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