



WEB COPY

Crl.O.P.No.2108 of 202



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 30-01-2026

CORAM

THE HONOURABLE MR JUSTICE K. RAJASEKAR

CRL OP NO.2108 of 2026

1. Sekar
2. Nagappan

... Petitioners/ Accused

Vs

The State rep. by,
The Inspector of Police,
Arambakkam Police Station,
Gummudipoondi Taluk,
Thiruvallur District.
(Crime No.08 of 2026)

... Respondent

PRAYER : Criminal Original Petition filed under Section 483 of Bharatiya
Nagarik Suraksha Sanhita, 2023, to grant bail to the petitioners/accused in
Crime No.08 of 2026 on the file of the respondent police.

For Petitioner(s) : Mr. S. Gopi

For Respondent(s) : Mr. A. Gopinath
Government Advocate (Crl. Side)

ORDER



The petitioners, who were arrested and remanded to judicial custody on 09.01.2026 for the offences punishable under Sections 329(3), 324(5) and 351(2) of BNS read with Section 3(1) of Tamilnadu Public Property (Prevention of Damage and Lose) Act, 1984 in Crime No.08 of 2026, registered on the file of the respondent police, seek bail.

2. The case of the prosecution is that, the defacto complainant, who has proposed a company in Gumpli Village, Gummodipoondi Taluk, for which he had agreement with Smith Structure India Private Limited in his own land at S.No.319/4 and 319/5 and started fencing the said land on 08.01.2026; that whileso, the petitioners herein, who belong to the same village objected the fencing work on the ground that the same is causing inconvenience to them and threatened the defacto complainant; that further, they damaged the compound wall of the defacto complainant's land by engaging JCB, thereby caused a damage to the tune of Rs.3,98,125/-. Hence, this case.

3. The learned counsel appearing for the petitioners submitted that the petitioners have been falsely implicated in this case on account of previous enmity and they are in judicial custody since 09.01.2026; that the petitioners have never damaged nor disfigured the said compound wall as



alleged by the prosecution; that the petitioners have no bad antecedents; and that the petitioners are ready to abide by any condition that may be imposed by this Court and sought for bail to the petitioners.

4. The learned Government Advocate (Crl. Side) appearing for the respondent while opposing the bail to the petitioners reiterated the prosecution case and submitted that there are totally 2 accused involved in this case and the petitioners are arrayed as A1 and A2; that the petitioners have engaged JCB and demolished the compound wall fencing of the defacto complainant's company, thereby caused a damage to the tune of Rs.3,98,125/-; that the petitioners have no previous cases; and that the investigation of this case is pending.

5. I have considered the submissions made on both sides and perused the materials available on record. Though it is stated that the petitioners have no previous antecedents, considering the fact that huge value of the property has been damaged, this Court is not inclined to grant bail to the petitioners.

K. RAJASEKAR, J.

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6. Accordingly, this criminal original petition stands dismissed.

stn

30.01.2026

To

1. The Inspector of Police,
Arambakkam Police Station,
Gummudipoondi Taluk,
Thiruvallur District.
(Crime No.08 of 2026)
2. The Public Prosecutor,
High Court of Madras.

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