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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 19.02.2026

CORAM :

**THE HON'BLE MR. JUSTICE K. RAJASEKAR**

**Crl.O.P.No.3821 of 2026**

1.Vikram  
S/o Somannan

2.R. Kumar  
S/o Ramasamy

3.Govindaraj  
S/o Madhu

... Petitioners

Vs

The State by  
The Inspector of Police,  
Maharajakadai Police Station,  
Krishnagiri District  
(Crime No.12 of 2026 ) ... Respondent

**PRAYER :** Criminal Original Petition filed under Section 483 of Bharatiya  
Nagarik Suraksha Sanhita, 2023, to grant bail to the petitioner/accused in Crime  
No.12 of 2026 on the file of the respondent police

**For Petitioner(s)** : Mr.R.C. Paul Kanagaraj  
**For Respondent(s)** : Mr. Dr.C.E. Pratap,  
Government Advocate (Crl. Side)



## **ORDER**

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The petitioner, who was arrested and remanded to judicial custody on 08.01.2026, for the offences punishable under Sections 115(2), 351(2) of BNS Act, Section 4 of TNPHW Act and under Section 3(1) of TNPPDL Act in Crime No.12 of 2026, registered on the file of the respondent, seeks bail.

2.The case of the prosecution is that due to the property dispute pending between the first petitioner and the defacto complainant, the petitioners entered into the house of the defacto complainant and thereby caused damages to the property worth about Rs.3,00,000/- Hence this case.

3. After considering the submissions made by the learned counsel appearing on both sides this Court has dismissed the first bail petition of the petitioner in Crl.O.P.No.1291 of 2026 on 27.01.2026 for the following reasons:

*7. Considering the submissions made by both sides and also taking note of the fact that there was a civil dispute pending between the parties and the petitioners caused damaged to the defacto complainant's property worth about Rs.3,00,000/-, this Court is not inclined to grant bail to the petitioner.*



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4. When the matter is taken up for hearing today the learned counsel for the petitioner submitted that in the earlier bail petition it is reported that the petitioner has caused damages to the defacto complainant's property to the tune of Rs.3,00,000/-. He further submitted that the building was 40 years old and the damages have been exaggerated to Rs.3,00,000/- and the petitioners are in judicial custody from 08.01.2026. He also submitted that the petitioners without prejudice to their defence they are ready to deposit any damages if any imposed by this Court and are ready to abide by any other stringent conditions. Hence prays to grant anticipatory bail to the petitioners.

5. The learned Government Advocate (Criminal Side) appearing for the respondent while opposing the bail to the petitioner, reiterated the prosecution case and submitted the first petitioner and the defacto complainant are residing in the same building for the past 40 years and due to property dispute the petitioners caused damages to the defacto complainant's property worth about Rs.3,00,000/- and no one is injured due to the demolition of the building. He further submitted that when there was a civil dispute pending, the petitioners are not entitled to demolish the building. Hence, he opposed to grant bail to the petitioners.



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6. I have considered the submissions made by both sides and also the photographs of the building, which reveals the fact that the building was demolished.

7. Considering the facts and circumstances of the case, and the submissions made by both counsels no one was injured due to the demolition of the building; considering the period of incarceration undergone by the petitioners and the petitioners are ready to deposit any amount as imposed by this Court and taking note of the facts that the first petitioner has played vital role in demolishing the building, he is directed to pay a sum of **Rs.25,000/- [Rupees Twenty five thousand only ]** to the credit of Crime No.12 of 2026 before the Trial Court without prejudice to his defence and on such deposit and production of proof, the first petitioner is ordered to be released on bail and considering the overtact of petitioners 2 and 3, they are also entitled for bail.

8. Accordingly, all the petitioners are ordered to be released on bail on his executing a bond for a sum of **Rs.20,000/- (Rupees Twenty Thousand only) each** with **two sureties**, for a like sum to the satisfaction of the learned Judicial Magistrate No.II, Krishnagiri and on further conditions that:



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[a] 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;

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

[c] the petitioner shall make himself available for interrogation by a Police Officer as and when required;

[d] the petitioners shall not directly or indirectly cause any threat to the defacto complainant and witnesses;

[e] the petitioner to give an undertaking that if required for being identified by witnesses during investigation or for police custody beyond the first fifteen days, he shall comply to the directions as may be given by the Court in this regard;

[f] 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 petitioner released on bail by the learned Magistrate/Trial Court himself as laid down by the Hon'ble



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Supreme Court in **P.K.Shaji vs. State of Kerala [(2005)13 SCC 283]**;

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

[h] the first petitioner shall deposit a sum of **Rs.25,000/- [Rupees Twenty five thousand only ]** to the credit of Crime No.12 of 2026 before the concerned trial Court without prejudice to his defence.

**19.02.2026**

*smn*

**Note:**

1. Registry is directed to forthwith upload this order in the Official Website of this Court.
2. All concerned to act on this order being uploaded in Official Website of this Court without insisting on certified hard copies. To be noted, this order when uploaded in the official website of this Court will be watermarked and will also have a QR code.

**To**

- 1.The Judicial Magistrate No.II, Krishnagiri
- 2.The Inspector of Police,  
Maharajakadai Police Station,  
Krishnagiri District
- 3.The Sub Jail, Krishnagiri
- 4.The Public Prosecutor,  
High Court, Madras.



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**K. RAJASEKAR, J.**

smn

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