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CRL OP No. 3659 of 2



IN THE HIGH COURT OF JUDICATURE AT MADRAS

**DATED: 16-02-2026**

CORAM

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

**CRL OP No. 3659 of 2026**

1. Muniyappan
2. Ramesh
3. Karthik
4. Poovarasan
5. Murugan
6. Raja
7. Dhanam
8. Kowsalya
9. Sivakami
10. Rubi
11. Chanrayi
12. Poonkodi
13. Pappathi
14. Priya Alias Gokulapriya
15. Nandhini
16. Revathi
17. Sowndarya
18. Rasathi

..Petitioners

Vs

The State Represented by,  
The Inspector of Police,  
Jalakandapuram Police Station,  
Salem District.  
(Crime No.10/2026)

..Respondent



Criminal Original Petition filed under Section 482 of Bharatiya Nagarik Suraksha Sanhita, 2023, pleaded to enlarge the petitioner on Anticipatory Bail in the event of arrest by the respondent police in Crime No.10 of 2026 on the file of respondent police.

For Petitioners : Mr. P Muthukumarasamy

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

### **ORDER**

The petitioners apprehend arrest for the alleged offence under Sections 191(2), 191(3), 329(3), 296(b), 324(4), 351(3) and 61(2)(a) of the Bharatiya Nyaya Sanhita (BNS) 2023, in Crime No.10 of 2026, on the file of the respondent police, seek anticipatory bail.

2. The case of the prosecution is that the due to a previous enmity arising out of a pathway dispute between the petitioners and the defacto complainant's family, the petitioners allegedly trespassed into the house of the defacto complainant with deadly weapons, caused damage to the household properties, cut down the tress, abused them in filthy language and criminally intimated them with dire consequences. Hence, the present complaint has been registered against the petitioners.



3. The learned counsel for the petitioners submitted that the petitioners are innocent and have never been involved in any offence as alleged by the prosecution. He submitted that, due to a pathway dispute, a false case has been foisted against the petitioners. He further submitted that the petitioners are ready to abide by any conditions that may be imposed by this Court and therefore, prayed for the grant of anticipatory bail to the petitioners.

4. The learned Government Advocate (Criminal side) appearing for the respondent submitted that the petitioners were allegedly trespassed into the house of the defacto complainant armed with a spade, crowbar, wood cutting machine (saw), and other materials, caused damage to the household properties and cut down the tress. It was further submitted that the co-accused, A11, A14 and A17 were arrested and later released on bail, and that the petitioners have no previous criminal antecedents. The investigation is going on. Hence, she opposed to grant anticipatory bail to the petitioners.

5. Considering the facts and circumstances of the case, and taking note of the fact that the co-accused have been arrested and released on bail and that the petitioners have no previous criminal antecedents, this Court is inclined to grant anticipatory bail to the petitioners subject to certain conditions.



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 (15) days from the date on which the order copy made ready, before the **learned Judicial Magistrate – II, Mettur**, on condition that **the petitioners shall execute a bond for a sum of Rs.15,000/- each (Rupees Fifteen Thousand only)**, with **two sureties** each for a like sum to the satisfaction of the learned Magistrate concerned, and on further conditions:

(a) **The petitioners shall deposit a sum of Rs.5,000/- each (Rupees Five Thousand only) to the credit of Crime No.10 of 2026 on the file of the respondent police within a period of fifteen (15) days from today, failing which, anticipatory bail granted to the petitioners shall stand dismissed automatically;**

(b) If the petitioners fails to surrender before the concerned Magistrate within a period of fifteen (15) days from the date of receipt of a copy of this order, this order shall stand automatically cancelled;

(c) The sureties shall affix their photographs and left thumb impression in the application for suretyship (Judicial Form No.46 annexed to 'The Criminal Rules of Practice, 2019']. The learned Magistrate shall obtain a copy of any one of identify proofs to ensure their identity;

(d) **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;**

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(e) On breach of any of the aforesaid conditions, the learned Magistrate/Trial Court is entitled to take appropriate actions against the petitioners in accordance with law as if the conditions have been imposed and the petitioners were released on anticipatory bail by the learned Magistrate/Trial Court himself as laid down by the Hon'ble Supreme Court in *P.K.Shaji v. State of Kerala [(2005) AIR SCW 5560]*;

(f) If the petitioners thereafter abscond, a fresh FIR can be registered under Section 269 of BNS Act.

**16-02-2026**

klt

To

1. The learned Judicial Magistrate-II, Mettur.
2. The Inspector of Police,  
Jalakandapuram Police Station,  
Salem District.
3. The Public Prosecutor, High Court of Madras, Chennai.



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**K.RAJASEKAR, J.**

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