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Crl.O.P.No.5572 of 2026



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 04.03.2026

CORAM

THE HONOURABLE Mr. JUSTICE C.KUMARAPPAN

Crl.O.P.No.5572 of 2026

1.Sathya
2.Annakili
3.Arumugam

... Petitioners

Vs.

State rep by
The Inspector of Police,
C-3, Manimangalam Police Station,
Kancheepuram District.
(Crime No. 980 of 2021)

... Respondent

PRAYER : Criminal Original Petition filed under Section 482 of the Bharatiya Nagarik Suraksha Sanhita, Act, 2023, to enlarge the petitioners on bail in the event of arrest in Crime No.980 of 2021 on the file of the respondent police.

For Petitioners : Mr.Rajadurai

For Respondent : Mr. P. Dhileepan
Government Advocate (Crl.Side)

ORDER

The petitioners apprehend arrest for the alleged offence under Sections 294(b), 465, 467, 468, 471, 472, 427, 506(i) of IPC, in Crime No.980 of 2021 on the file of the respondent police seek anticipatory bail.



2. The case of the prosecution is that the defacto complainant lodged a complaint stating that the petitioners attempted to trespass into his land in Venjuvancheri Grama Panchayat in the year 2019. In this regard, the defacto complainant has lodged a complaint before the respondent police. During the enquiry, the petitioners appeared before the respondent police and assured that they would not enter into the premises of the defacto complainant and also gave a written statement to that effect. Hence, the complaint.

3. The learned counsel appearing for the petitioners submitted that the petitioners had already been enlarged on anticipatory bail by order dated 02.02.2022 in Crl.OP.No.2344 of 2022, but the protection under the above act was not utilised, due to the non-furnishing of the sureties within a stipulated time, and as a consequence, the same was dismissed. Now, the learned counsel further submitted that the petitioners are now ready to furnish sureties and hence prayed to grant anticipatory bail to the petitioners.

4. Taking into consideration the fact that the petitioners had already been granted anticipatory bail on 02.02.2022 in Crl.OP.No.2344 of 2022 and subsequently dismissed due to the default of non-furnishing of the sureties by the petitioners, this Court is once again inclined to enlarge the petitioners on anticipatory bail on the same conditions.



5. 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 is made ready, before the **learned Judicial Magistrate No.II, Tambaram**, on condition that **the petitioners shall execute a separate bond for a sum of Rs.20,000/- (Rupees Twenty Thousand only)**, with **two sureties each**, for a like sum to the satisfaction of the learned Magistrate concerned, and on further conditions:

(a) If the petitioners fails to surrender before the concerned learned 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;

(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 identify proofs to ensure their identity;

(c) **The petitioners 1 & 2 shall report before the respondent Police as and when required for interrogation and the third petitioner shall report before the respondent police on every Monday and Saturday at 10.30 a.m, until further orders.**

(d) On breach of any of the aforesaid conditions, the learned Magistrate/Trial Court is entitled to take appropriate actions against the petitioner in accordance with law as if the



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conditions have been imposed and the petitioners 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]***;

(e) If the petitioner thereafter absconds, a fresh FIR can be registered under Section 269 of BNS Act.

04.03.2026

AT

To

- 1.The Judicial Magistrate No.II,
Tambaram.
- 2.The Inspector of Police,
C-3, Manimangalam Police Station,
Kancheepuram District.
- 3.The Public Prosecutor,
High Court of Madras.



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C.KUMARAPPAN.J.

DRL

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