



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 18.02.2026

CORAM

THE HONOURABLE MR JUSTICE K.RAJASEKAR

CRL.O.P.No.3967 of 2026

A.B.Krishnamoorthy

... Petitioner

Versus

The State rep by its,
The Inspector of Police,
T-12 Poonamallee Police Station,
Tiruvallur District.
(Crime No.45 of 2026)

.. Respondent

Prayer:- Criminal Original Petition filed under Section 482 of B.N.S.S., to enlarge the petitioner on anticipatory bail in the event of his arrest in Crime No.45 of 2026 on the file of the respondent police.

For Petitioner : Mr.S.Abdul Khadhar

For Respondent : Mr.J.R.Archana
Government Advocate (Crl. Side)

ORDER

The petitioner, who apprehend arrest by the respondent police for the alleged offences punishable under Sections 334(2), 305(a) of BNS, in Crime No.45 of 2026 registered on the file of the respondent police, seeks anticipatory bail.

2. The allegation against the petitioner is that he, being the former



Trustee of the Temple Board, opened the temple hundiyaal of the temple and taken away the articles kept inside it. Hence a case has been registered against the petitioner.

3. The learned counsel appearing for the petitioner submitted that the keys were in the custody of the petitioner pursuant to the order passed by this Court in O.S.No.158 of 2024. He further submitted that the petitioner has not taken away any property and seal was found to be tampered, he is ready to co-operate with the investigation. Hence, he prays to grant anticipatory bail to the petitioner.

4. The learned Government Advocate (Crl.Side) appearing for the respondent police reiterated the prosecution case and submitted that the defacto complainant is the present temple Trustee and the petitioner is the former Trustee. Though there is a dispute between the parties and the seal of the hundiyaal was found tampered, however the articles were inside the hundiyaal. She further submitted that the petitioner has no previous case pending against him. Hence, she opposed to grant anticipatory bail to the petitioner.

5. Heard the learned counsel appearing for the petitioner and the learned Government Advocate (Criminal Side) appearing for the respondent police and perused the materials available on record.

6. Considering the nature of the allegations, though it is a case of



illegal opening of the hundiya, it is stated that no articles were taken away and that the petitioner has no bad antecedents, this Court is inclined to grant anticipatory bail to the petitioner, subject to certain conditions.

7. Accordingly, the petitioner is ordered to be released on anticipatory bail in the event of arrest or on his appearance, within a period of fifteen (15) days from the date of receipt of a copy of this order before the ***learned Judicial Magistrate No.II, Poonamallee*** on condition that the petitioner shall execute a bond for a sum of Rs.15,000/- (Rupees Fifteen Thousand Only), with two sureties, each for a like sum to the satisfaction of the respondent police or the police officer who intends to arrest or to the satisfaction of the learned Magistrate concerned and on further condition that:

(a) the sureties shall affix their photographs and left thumb impression in the surety bond and the Magistrate may obtain a copy of their Aadhar card or Bank pass Book to ensure their identity;

(b) the petitioner 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 not tamper with evidence or witness either during investigation or trial;

(d) the petitioner shall not abscond either during



investigation or trial;

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

(f) if the accused thereafter absconds, a fresh FIR can be registered under Section 269 of B.N.S.

18.02.2026

drl

To

1.The Judicial Magistrate No.II,
Poonamallee.

2. The Inspector of Police,
T-12 Poonamallee Police Station,
Tiruvallur District.

3.The Public Prosecutor,
High Court, Madras.



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K.RAJASEKAR, J.

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