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Crl.O.P.No.4300 of 2026

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 20.02.2026

CORAM

THE HONOURABLE MR. JUSTICE K.RAJASEKAR

Crl.O.P.No.4300 of 2026

1.Bhagyalaxmi
2. Shivaraj
3.E.Mohanraj
4.Magesh

... Petitioners

Vs.

The State Rep. By,
The Inspector of Police,
T1 Town Central Police Station,
Nilgiris District.
Crime No.29 of 2026

... Respondent

PRAYER : Criminal Original Petition filed under Section 482 of Bharatiya Nagarik Suraksha Sanhita, 2023, to enlarge the petitioners on anticipatory bail in the event of his arrest in Crime No.29 of 2026 on the file of the respondent police.

For Petitioners : Ms.Franklin J
For Respondent : Ms.J.R.Archana
Government Advocate (Crl. Side)



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ORDER

The petitioners herein apprehend arrest at the hands of the respondent police for the offences punishable under Sections 331(1) of BNS in Crime No.29 of 2026, on the file of the respondent Police, seeks anticipatory bail.

2. The allegation against the petitioners is that the petitioners are ranked as A1, A2, A6 & A9. The allegation is that A1 & A2 are having property in Nilgiris and they have constructed a building by violating the building development rules and hence the Commissioner of Municipality locked the property and the notice of locked and seal was effected, however, A1 & A2 entered into the premises and broke open the lock and removed the seals, by engaging other workers, who are contractors. Hence, the case was registered.

3. The learned counsel for the petitioners submitted that the petitioners are innocents persons and they have been falsely implicated in this case. He further submitted that the petitioners are ready to abide by any stringent conditions that may be imposed by this Court. Hence, he prayed for grant of anticipatory bail to the petitioners.



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4. The learned Government Advocate (Crl. Side) reiterated the prosecution case and submitted that the investigation is pending. Hence, he opposed for grant of anticipatory bail to the petitioners.

5. Considering the nature of allegations and the fact that it is a case of violation of Municipal Commissioner's Statutory Order, petitioners are not having any previous cases and no construction activity is going on now, this Court is inclined to grant anticipatory bail to the petitioners with certain conditions:

6. Accordingly, the petitioners is ordered to be released on bail in the event of arrest or on their appearance, within a period of ten days from the date of receipt of a copy of this order, before the learned **Judicial Magistrate, Udhagamandalam** on condition that the petitioners shall execute a 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 condition that:

[a] if the petitioners fails to surrender before the concerned Magistrate within a period of ten days from the date of receipt of a copy of this order, this order shall stand automatically cancelled;



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[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 the identity proofs to ensure their identity;

[c] the petitioners shall stay at Mettupalayam report before the Inspector of Police, Mettupalayam Town Police Station daily at 10.30.a.m., for a period of two weeks and thereafter as and when required for interrogation;

[d] On breach of any of the aforementioned conditions, the learned Magistrate/Trial Court is entitled to pass appropriate orders against the petitioners in accordance with law as if the aforementioned conditions have been imposed and the petitioners 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)13 SCC 283]**;



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

20.02.2026

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To

1. Judicial Magistrate, Udhagamandalam

2.The Inspector of Police,
T1 Town Central Police Station,
Nilgiris District.

3.The Public Prosecutor,
High Court of Madras.



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K.RAJASEKAR, J.

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