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CRL OP No. 5675 of 2



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 10-03-2026

CORAM

THE HON'BLE MR.JUSTICE C.KUMARAPPAN

CRL OP No. 5675 of 2026

1. Selvaraj
S/o.Muthu,
Residing at No.4, JVS Nagar,
Pallavan Street,
Mudaliarpet,
Puducherry.
2. Kalaivani
W/o.Selvaraj,
Residing at No.4, JVS Nagar,
Pallavan Street,
Mudaliarpet,
Puducherry.
3. Suvetha
D/o.Selvaraj,
Residing at No.4, JVS Nagar,
Pallavan Street,
Mudaliarpet,
Puducherry.
4. Dhevetha
D/o.Selvaraj,
All the above petitioners are
Residing at No.4, JVS Nagar,
Pallavan Street,
Mudaliarpet,
Puducherry.

..Petitioner(s)

Vs

State rep by
Inspector of Police,
Orleanpet Police Station,
Puducherry.



Crime No.23 of 2026

..Respondent(s)

PRAYER : Criminal Original Petition filed under Section 482 of BNSS, 2023, to enlarge the petitioner on bail in the event of arrest in connection with the Crime No.23 of 2026 on the file of respondent police and pass such further or other order as this Honble Court may deem fit and proper in the circumstances of the case and thus render justice.

For Petitioner(s): M/s.M.Abdul Kareem

For Respondent(s): Public Prosecutor (puducherry)

ORDER

The petitioners apprehend arrest for the alleged offence under Sections 331(2), 324(4) and 3(5) of BNS in Crime No.23 of 2026 on the file of the respondent police seeks anticipatory bail.

2. The case of the prosecution is that, the petitioners had broken the lock and trespassed the premises of the property which property has allegedly been taken possession by the City Union Bank earlier with the help of police officials in pursuant to orders passed by Chief Judicial Magistrate in Crl.M.P.No.1870 of 2025 in connection with DRT proceedings . Hence the case.

3. The learned counsel appearing for the petitioners submitted that the petitioners are original owners of the property, however, according to the



prosecution, the property was taken possession by the Bank in pursuance to the DRT proceedings and in pursuance of the direction passed by the Chief Judicial Magistrate, Puducherry in Cr.M.P.No.1870 of 2025 dated 15.09.2025. Since the petitioners again entered into the premises inspite of the order passed by the CJM for taking possession, the present FIR has been registered. Hence, he prays to grant anticipatory bail to the petitioners.

4. The learned Public Prosecutor (Puducherry) appearing for the respondent police would fairly submit that there is no previous case against the petitioners herein. However, he opposed to grant anticipatory bail to the petitioners.

5. Considering the above position and also considering the age of the first petitioner and gender of the petitioners 2 to 4 and also upon the ground that there is no previous case against the petitioners, 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 is made ready, before the **learned Judicial Magistrate No.II, Puducherry**, 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 conditions:

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(a) If the petitioners fail 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 shall report before the respondent police everyday 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 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 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 petitioners thereafter absconds, a fresh FIR can be registered under Section 269 of BNS Act.

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To

1. The Judicial Magistrate No.II, Puducherry.

2. The Inspector of Police,
Orleanpet Police Station,
Puducherry.
Crime No.23 of 2026

3. The Public Prosecutor,
High Court of Madras.



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C.KUMARAPPAN, J.

MPA

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