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Crl.O.P.No.6092 of 2026

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 10.03.2026

CORAM

THE HONOURABLE Mr. JUSTICE C.KUMARAPPAN

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1. Venkatesh
2. Manickam
3. Andi
4. Periyasamy
5. Veerasamy @ Veerachasamy
6. Ramasamy
7. Ashok @ Ashokan
8. Thangavel @ Thangavelu

... Petitioners

Vs.

The State rep by. its
The Forest Range Officer,
Thumbal Range,
Salem District.
(WLOR.No.12 of 2026)

... 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 their arrest in WLOR.No.12 of 2026 on the file of the Forest Range Officer, Thumbal Range, Salem District.

For Petitioner : Mr.M.Senthil Kumar

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

ORDER

The petitioners apprehend arrest for the alleged offence under Section



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21(a)(b)(d) of Tamil Nadu Forest Act, 1982, in WLOR.No.12 of 2026 on the file of the respondent seek anticipatory bail.

2. The case of the prosecution is that the petitioners, along with other accused attempted to encroach upon the forest area and have also cut trees by setting fire on trees in order to create a pathway. Hence, the case.

3. The learned counsel appearing for the petitioners submitted that the petitioners are innocent persons and have been falsely implicated in this case. He further submits that the petitioners are ready to abide by any conditions imposed by this Court. Hence, he prays to grant anticipatory bail to the petitioners.

4. The learned Government Advocate (Crl.Side) appearing for the respondent reiterated the prosecution case and submitted that the petitioners attempted to encroach upon forest land by cutting trees in order to create a pathway. He fairly submitted that the co-accused has already been arrested and subsequently, released on bail on 13.02.2026.

5. On a perusal of the First Information Report, it is seen that the case has been registered on 01.02.2026 and at this point of time, the investigation



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might have been completed. Hence, this Court is of the view that custodial interrogation is not required for the petitioners. It is also seen that the co-accused was remanded and subsequently, granted bail on 13.02.2026. Hence, in order to maintain parity with the said order, 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 Court No.II, Attur, Salem District**, on condition that **the petitioner shall execute a bond for a sum of Rs.25,000/- each (Rupees Twenty Five 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 fail to surrender before the learned Magistrate concerned 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



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respondent daily at 10.30 am. and 5.30 pm. for a period of four weeks and thereafter as and when required;

(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 Court No.II, Ponneri,
Attur, Salem District.

2.The Forest Range Officer,
Thumbal Range,
Salem District.

3.The Public Prosecutor,
High Court of Madras.



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C.KUMARAPPAN.J.

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