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CRL OP No. 8883 of 2



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 09-04-2026

CORAM

THE HON'BLE MR. JUSTICE C.KUMARAPPAN

CRL OP No. 8883 of 2026

K.Jagadeeswaran

..Petitioner(s)

Vs

The State rep. by he Inspector of Police,
Selayur Police Station,
Chennai-600 021.

..Respondent(s)

Criminal Original Petition has been filed under Section 482 of the Bharatiya Nagarik Suraksha Sanhita (BNSS), 2023, to grant the anticipatory bail in the event of arrest of me in connected Cr.52/2026 on the file the respondent.

For Petitioner(s): No Appearance

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

For Intervener(s): Mr.M.Elumalai

ORDER

When the matter was taken up for hearing today, there was no representation on behalf of the petitioner/accused. However, this Court proceeded to hear the learned counsel for the Intervener and the learned Government Advocate (Criminal Side) appearing for the respondent.



2. The petitioner, apprehending arrest by the respondent police for alleged offences punishable under Sections 296(b), 223(b), 132, and 351(2) of the Bharatiya Nyaya Sanhita (BNS), 2023, in Crime No. 52 of 2026, seeks anticipatory bail.

3. The case of the prosecution is that the defacto complainant, the Regional Deputy Tahsildar of Tambaram, along with other revenue officials, visited Agaramthen Village on 09.02.2026 to remove encroachments from Government Poromboke land in S.No. 206/1. This action was taken pursuant to the directions issued by the Hon'ble Division Bench of this Court in W.P.No.4268 of 2024 dated 22.02.2024. It is alleged that the petitioner, in his capacity as the President of Agaramthen Panchayat, obstructed the officials, used abusive language, and criminally intimidated them to prevent the discharge of their public duties. He further allegedly instigated the public to protest against the eviction drive.

4. The learned counsel for the Intervener strongly opposed the grant of anticipatory bail, submitted that Government lands are being occupied through forged documents and tampered revenue records, often in collusion with officials. He pointed out that while the Hon'ble Division Bench had previously directed the removal of encroachments, the petitioner has consistently attempted

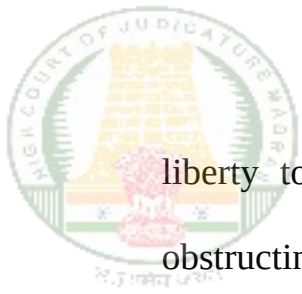


to stall the process through various litigations. Though the Court eventually granted liberty to the parties to approach a Civil Court, the petitioner took the law into his own hands. The Intervener further alleged that the petitioner, leveraging his position as Panchayat President, is a direct beneficiary of these encroachments and continues to shield certain illegal structures.

5. The learned Government Advocate (Criminal Side) appearing for the respondent police, while reiterating the prosecution's case, strongly opposed the grant of anticipatory bail. He emphasised that the petitioner not only deterred public servants from executing a judicial mandate, but also used his local influence to create a law-and-order situation. He further contended that given the petitioner's antecedents, there is a significant risk of him tampering with evidence or intimidating witnesses if granted pre-arrest bail.

6. This Court has carefully considered the rival submissions and perused the materials on record.

7. It is observed that the revenue officials were acting in compliance with a specific direction issued by this Court. The petitioner, holding the responsible public office of Village Panchayat President, had a duty to assist the administration in upholding the law. Instead, he chose to intercept and block the officials, which is a matter of grave concern. While the petitioner was given the



liberty to seek a remedy through the Civil Court, his alleged conduct in obstructing a court-ordered eviction reflects a blatant disregard for the rule of law.

8. Considering the gravity of the offences, the petitioner's criminal antecedents, and the specific overt acts attributed to him, this Court is of the view that the contention of the respondent that his custodial interrogation is essential for a comprehensive investigation cannot be faulted. The nature of the allegations, specifically the intimidation of public servants and the potential for witness tampering, renders this a fit case for the denial of discretionary relief. Consequently, this Court is not inclined to grant anticipatory bail to the petitioner.

9. Accordingly, this Criminal Original Petition is dismissed.

09-04-2026

Index: Yes/No
Speaking/Non-speaking order
Neutral Citation: Yes/No

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To

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- 1.The Principal District and Sessions Judge, Chengalpattu.
- 2.The Inspector of Police, Selaiyur Police Station, Chennai-600 021.
- 3.The Public Prosecutor, High Court of Madras, Chennai.



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C.KUMARAPPAN, J.

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