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Crl.O.P.No.10314 of 2026



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 30.04.2026

CORAM

THE HONOURABLE MR.JUSTICE G.K.ILANTHIRAIYAN

Crl.O.P.No.10314 of 2026

1. Ayyanar
 2. Thangavel
 3. Prathap
 4. Sudhakar
 5. Thangaraj
 6. Ajithkumar
 7. Yogamaran
 8. Asaikani
- ... Petitioners

Vs.

State represented by,
The Inspector of Police,
Kondalampatti Police Station,
Salem District.
(Crime No.23 of 2026)

... Respondent

PRAYER: Criminal Original Petition is filed under Section 482 of Bharatiya Nagarik Suraksha Sanhita, to enlarge the petitioners on anticipatory bail in the event of their arrest by the respondent in Crime No.23 of 2026 on the file of the respondent police.

For Petitioners : Mr.Vasudevan Bramalingam

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



ORDER

The petitioners, who apprehend arrest at the hands of the respondent Police for the offences under Sections 296(b), 191(2), 191(3), 126(2) and 351(3) of BNS and Section 3(1) of the TN Public Property (Prevention of Damage and Loss) Act, in Crime No.23 of 2026 on the file of the respondent, seek anticipatory bail.

2. The case of the prosecution is that the accused unlawfully assembled and caused damage to the house of the *de facto* complainant. Hence the case.

3. Learned counsel appearing for the petitioners submitted that the petitioners are innocent and have been falsely implicated in this case. He further submitted that the petitioners are in no way connected with the alleged offence, however, they, without prejudice to their defence, are ready to deposit a sum of Rs.30,000/- jointly. Hence, he prayed for the grant of anticipatory bail to the petitioners.

4. Learned Government Advocate (Criminal Side) appearing for the respondent police reiterated the prosecution case and opposed for grant of anticipatory bail to the petitioners. He further submitted that this



is the second application for bail filed by the petitioners and that there are no previous cases against the petitioners.

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5. Heard both sides and perused the materials available on record.

6. Considering the above facts and circumstances of the case and the nature of allegation and also taking note of the fact that the petitioners have come forward to deposit an amount of Rs.30,000/-, to the credit of crime number and since, the custodial interrogation of the petitioners is not required for the purpose of investigation, this Court is inclined to grant anticipatory bail to the petitioners with certain conditions.

7. Accordingly, the petitioners shall deposit a sum of Rs.30,000/- (Rupees Thirty Thousand only) jointly to the credit of Crime No.23 of 2026 before the Judicial Magistrate Court No.V, Salem and on such deposit and production of proof, the petitioners are ordered to be released on bail in the event of arrest or on their appearance, within a period of fifteen days from the date on which the order copy made ready, before the learned **Judicial Magistrate No.V, Salem District**, on condition that the petitioners shall execute a bond for a sum of **Rs.10,000/- (Rupees Ten**



Thousand only) each 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, failing which, the petition for anticipatory bail shall stand dismissed 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 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;

[c] the petitioners shall not abscond during during investigation or trial;

[d] the petitioners shall not tamper with evidence or witness 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 petitioners in accordance with law as if the 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)AIR SCW 5560]*;



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

30.04.2026

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To

1. The Judicial Magistrate No.V,
Salem District.
2. The Inspector of Police,
Kondalampatti Police Station,
Salem District.
3. The Public Prosecutor,
High Court, Madras.



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G.K.ILANTHIRAIYAN, J.

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