



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 20-04-2026

CORAM

THE HON'BLE MR.JUSTICE C.KUMARAPPAN

CRL OP No. 9774 of 2026

1.Selvi
W/o.Rajendran,

2.Jegadeesan
S/o.Rajendran,

3.Sathish
S/o.Rajendran,

Petitioners 1 to 3 are residing at
Kamarajar Street,
Kumaratchi Post,
Kattumannarkoil Taluk,
Cuddalore District.

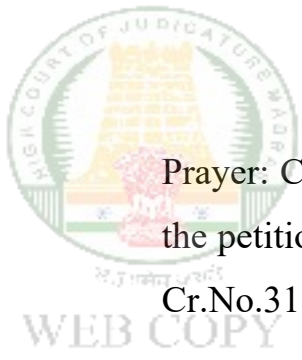
4.Sakthivel
S/o.Subbaiyan,
South Street,
Melamathur,
Sirkazhi Taluk,
Mayiladuthurai District.

...Petitioners/A1 to A4

Vs

State rep.by,
The Inspector of Police,
Kumaratchi Police Station,
Cuddalore.
Cr.No.31 of 2026.

..Respondent/
Complainant



Prayer: Criminal Original Petition filed under Section 482 of BNSS, to enlarge the petitioners on anticipatory bail in the event of their arrest in connection with Cr.No.31 of 2026 by the respondent police.

For Petitioners:

Ms.Anbukkarasi A

For Respondent:

Mr.P.Dhileepan

Government Advocate (Crl.Side)

ORDER

The petitioners/A1 to A4, who apprehend arrest for the alleged offences under Sections 329(3), 296(b), 303(2), and 351(2) of the BNS Act in Crime No.31 of 2026, on the file of the respondent police, seek anticipatory bail.

2. The case of the prosecution is that due to a tenancy dispute, the petitioners abused the *de-facto* complainant, and they entered into the *de-facto* complainant's property and took away the Tata Ace vehicle. Hence, the case.

3. The learned counsel for the petitioners submitted that the petitioners are innocents and they have not committed any offence as alleged by the *de-facto* complainant. He further submitted that the petitioners are ready to abide by any stringent condition that may be imposed by this Court and they are ready to cooperate for the investigation. Hence, he prays to grant anticipatory bail to the petitioners.



4. The learned Government Advocate (Crl.Side) appearing for the respondent police reiterated the prosecution case and, upon instruction, submitted that the first petitioner has got one previous case, the second petitioner has got three previous cases, the third petitioner has got two previous cases, and no previous case has been registered against the fourth petitioner. Hence, he opposed to grant anticipatory bail to the petitioners.

5. Heard the learned counsel for the petitioners and the learned Government Advocate (Crl.Side) for the respondent.

6. Though the issue has emanated due to the tenancy dispute between the *de-facto* complainant and these petitioners, the learned Government Advocate (Crl.Side) would submit that the first petitioner has got one previous case, the second petitioner has got three previous cases, the third petitioner has got two previous cases, and no previous case has been registered against the fourth petitioner.

7. Though there are previous cases, even the previous cases are of a similar nature in respect of a land dispute. Even according to the prosecution, the *de-facto* complainant's sister entered into a lease agreement in respect of the



land, and there are no injuries to anyone, and the allegation against the petitioners is that they entered into the *de-facto* complainant's property and took away the Tata Ace vehicle, and that vehicle has now been recovered.

8. Considering the entirety of the above issue and the factual position notwithstanding the fact that the first three petitioners have got some previous cases, the present case is altogether a different one and arising due to the tenancy dispute; hence, this Court is of the firm view that the custodial interrogation of the petitioners is not required. Therefore, this Court is inclined to enlarge them on anticipatory bail, subject to certain conditions:

9. Accordingly, the petitioners are ordered to be released on anticipatory 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 made ready, before **the learned Judicial Magistrate, Chidambaram**, on condition that **the petitioners shall execute a bond for a sum of Rs.20,000/- (Rupees Twenty Thousand only), each 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 concerned 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 sign before the respondent police everyday at 10.30 a.m., and 5.30 p.m., for a period of one month and thereafter, as and when required for the 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 themselves 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 abscond, a fresh FIR can be registered under Section 269 of BNS Act.

dk

20-04-2026



To

1. The Judicial Magistrate,
Chidambaram.
2. The Inspector of Police,
Kumaratchi Police Station,
Cuddalore.
3. The Public Prosecutor,
High Court of Madras.



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C.KUMARAPPAN, J.

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