

CRL.OP.No. 13424 of 2026

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 22.05.2026

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PRESENT

THE HON'BLE MR.JUSTICE R.SAKTHIVEL

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1.Mohamed Yusuf Reyzy
S/o.Mohammed Reyzy

2.Muhammad Hanif Reyzy
S/o.Mohammed Reyzy

Both are residing at the same address
No.25, Peruyameeran Street
Ilayangudi
Sivaganga – 630 702.

... Petitioners /Accused Nos.1&2

Vs.

The State, Represented by:
The Inspector of Police,
B-1, North Beach Police Station
Chennai District
Crime No. 170 of 2026.

... Respondent /Complainant

PRAYER:- Criminal Original Petition filed under Section 482 of the Bharatiya Nagarik Suraksha Sanhita (BNSS), 2023 praying to grant pre-arrest bail to the petitioner in Crime No.170 of 2026 on the file of the respondent police.

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For Petitioners : Mr.I.Periaswamy
For Respondent : Mr.S.Yogaraja Sekar
Government Advocate
(Criminal Side)

ORDER

This Criminal Original Petition has been filed by the petitioners on 19.05.2026 under Section 482 of the Bharatiya Nagarik Suraksha Sanhita (BNSS), 2023, praying to grant an order of pre-arrest bail.

2. The petitioners apprehend arrest at the hands of the respondent-police for the offences punishable under Sections 324(5), 330(2)(a), 3(5) of the Bharatiya Nyaya Sanhita, 2023 and later, altered to Sections 324(5), 330(2)(a), 3(5) of the Bharatiya Nyaya Sanhita, 2023 and Section 3 of the Tamil Nadu Property (Prevention of Damage and Loss) Act, 1992 in Crime No. 170 of 2026 on the file of the respondent-police.

3. The case of the prosecution is that there was a property dispute between the petitioners and the de-facto complainant. On 22.03.2026 at about 1.00 a.m., the petitioners demolished the de-facto complainant's shop, valued at approximately Rs.7,38,000/- without issuing any prior



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notice to the de-facto complainant. Hence, the respondent police registered a case against the petitioners.

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4. Mr.I.Periaswamy, the learned counsel for the petitioners, submits that the petitioners are innocent persons and they have not committed any offence as alleged by the prosecution. He further submits that the petitioners have been falsely implicated in this case. He further submits that the petitioners are ready to abide by any conditions to be imposed by this Court. Accordingly, he prays to grant an order of pre-arrest bail to the petitioners.

5. *Per contra*, Mr.S.Yogaraja Sekar, the learned Government Advocate (Criminal Side) appearing for the respondent-police, submits that there was a property dispute between the petitioners and the de-facto complainant. The petitioners demolished the de-facto complainant's shop, valued at appropriately Rs.7,38,000. He further submits that there are no previous cases against the petitioner. He further submits that if pre-arrest bail is granted to the petitioners, they will abscond and tamper with the evidence. He, therefore, prays to dismiss this Criminal Original Petition.

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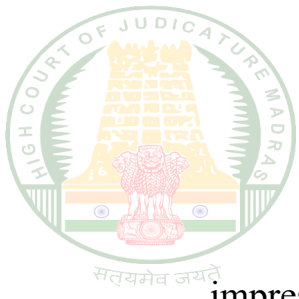


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6. Heard on both sides. This Court has perused the records.

7. The petitioners have permanent residence. Hence, there is less possibility of absconding. Considering the same and also considering the fact that the petitioners are the first time offenders and with a view to give an opportunity to the petitioners to reform themselves, this Court is inclined to grant pre-arrest bail to the petitioners. Accordingly, pre-arrest bail is granted to the petitioners subject to the following conditions:-

(i) The petitioners shall be released on pre-arrest bail in the event of their arrest or in the event of their surrender before the learned Metropolitan Magistrate No.VII, Chennai, within a period of 15 days from the date on which the order copy is made ready on executing a bond for a sum of Rs.25,000/- (Rupees Twenty Five Thousand only) along with two sureties each for a like sum of Rs.25,000/- (Rupees Twenty Five Thousand only) to the satisfaction of the learned Metropolitan Magistrate No.VII, Chennai.



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(ii) The sureties shall affix their photographs and left thumb impression in the Application for Suretyship [Judicial Form No.46 annexed to 'The Criminal Rules of Practice, 2019']. The learned Metropolitan Magistrate No.VII, Chennai, shall obtain a copy of any one of their identity proofs to ensure their identity.

(iii) The petitioners are directed to deposit a sum of **Rs.7,00,000/- (Rupees Seven Lakh Only)** within a period of 30 days from today to the credit of Crime No.170 of 2026 on the file of respondent police without prejudice to their right and contention before the Trial Court. Only upon deposit, the learned Magistrate shall accept the sureties.

(iv) The petitioners shall appear and sign before the respondent-police daily at 10.00 a.m. until further orders.

(v) The petitioners shall make themselves available for interrogation by a police officer as and when required.

(vi) The petitioners shall not, directly or indirectly, make any inducement, threat or promise to any person acquainted with the facts of the case so as to dissuade them from disclosing such facts to the Court or to any police officer.



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(vii) The petitioners shall also not, directly or indirectly, cause any threat to the defacto complainant and witnesses and shall not tamper the evidence.

(viii) The petitioners shall furnish their residential address and mobile number to the concerned Magistrate.

(ix) On breach of any of the aforementioned conditions, the learned Metropolitan Magistrate or Trial Court, as the case may be, is entitled to pass appropriate orders against the petitioners in accordance with law as if the aforementioned conditions are imposed by them as laid down by the Hon'ble Supreme Court in ***P.K. Shaji vs. State of Kerala [(2005) 13 SCC 283]***.

8. Accordingly, this Criminal Original Petition is allowed subject to the conditions stated *supra*.

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Index : Yes / No
Internet : Yes / No
Speaking Order/
Non Speaking Order: Yes / No
MSM

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To
1. The Metropolitan Magistrate No.VII, Chennai

2.The Inspector of Police,
B-1, North Beach Police Station
Chennai District
Crime No. 170 of 2026.

3.The Public Prosecutor,
High Court, Madras.



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R.SAKTHIVEL,J.

MSM

Order made in
CRL.OP.No. 13424 of 2026

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