



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 19-06-2026

CORAM

THE HON'BLE MR.JUSTICE C.KUMARAPPAN

CRL OP No. 15493 of 2026

1. Vimalraj
2. Nirmala Devi

..Petitioners

Vs

The State rep by
The Inspector of Police
K5, Peravallur Police Station,
Chennai District.
Crime No.99 of 2026

..Respondent

PRAYER : Criminal Original Petition filed under Section 482 of the Bharatiya Nagarik Suraksha Sanhita, Act, 2023, to enlarge the petitioners on anticipatory bail in the event of his arrest in Crime No.99/2026 on the file of the respondent.

For Petitioners:

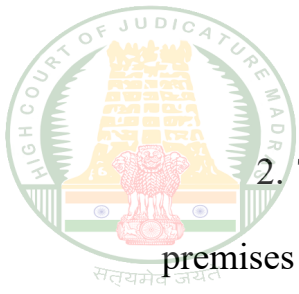
Ms.R.Saritha

For Respondent:

Ms.R.S.Indira,
Govt.Advocate (Crl.Side)

ORDER

The petitioners apprehend arrest for the alleged offence under Sections 329(3) and 342(2) of Bharatiya Nyaya Sanhita in Crime No.99 of 2026 on the file of the respondent police seek anticipatory bail.



2. The case of the prosecution is that the petitioners have trespassed the premises occupied by the de facto complainant as tenant and removed the things from the premises. Hence, the case.

3. The learned counsel for the petitioners submitted that the de facto complainant has not returned the balance lease amount to the petitioners to the tune of Rs.2,00,000/-. He further submitted that the petitioners are innocent and they have not committed any offence as alleged by the de facto complainant and they have been falsely implicated in this case. He further submitted that they are ready to abide by any conditions that may be imposed by this Court and ready to co-operate with the investigation. Hence, he prayed to grant anticipatory bail to the petitioners.

4. The learned Government Advocate (Crl.Side) appearing for the respondent police reiterated the prosecution case and hence opposed the grant of anticipatory bail to the petitioners.

5. I have given my anxious consideration to either side submissions and perused the materials available on record.

6. Considering the facts and circumstances of the case, taking note of the submissions made by the learned counsel on both sides, considering the totality



of the circumstances, though there are allegations against the petitioners for trespassing and cheating, considering the fact that the occurrence took place on

13.11.2025, this Court is of the firm view that at this stage, custodial interrogation of the petitioners is not required. Hence, this Court is inclined to enlarge the petitioners on anticipatory bail subject to certain conditions.

7. 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 Metropolitan Magistrate No.V, Egmore, Chennai**, on condition that **the petitioners shall execute a separate bond for a sum of Rs.20,000/- (Rupees Twenty 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 fails to surrender before the concerned learned 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 report before the respondent Police, everyday at 10.30 a.m., for a period of two weeks and**



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thereafter, as and when required for 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 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.

19-06-2026

SHL

To:

1. The Metropolitan Magistrate No.V,
Egmore, Chennai.

2. The Inspector of Police
K5, Peravallur Police Station,
Chennai District.

3. The Public Prosecutor
High Court of Madras



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C.KUMARAPPAN J.

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