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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 27-10-2026

CORAM

THE HON'BLE MR.JUSTICE N.RAMESH

CRL OP No. 30376 of 2026

1.Manickam,
S/o.Raman

2.Kathirvelu,
S/o.Manickam

3.Murugesan,
S/o.Raman

4.Selvi,
W/o.Murugesan

5.Tamilarasan,
S/o.Murugesan ...Petitioners/Accused Nos.2 to 6

Vs

The State rep by,
The Inspector of Police,
Konganapuram Police Station,
Salem District. ...Respondent/Complainant
(Crime No.349 of 2026)

PRAYER : Criminal Original Petition filed under Section 482 of Bharatiya Nagarik Suraksha Sanhita, 2023, to enlarge the petitioner on anticipatory bail in the event of the arrest in connection with the Crime No.349 of 2026, on the file of Respondent Police.

For Petitioner(s): Mr.Nalliyappan R

For Respondent(s): Mr.R.Rajasekaran,
Govt.Advocate (Crl.Side)

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ORDER

The petitioners apprehend arrest for the alleged offences under Sections 189(2), 296(b), 351(2) and 303(2) of the Bharatiya Nyaya Sanhita, 2023, read with Section 3(1) of the Tamil Nadu Property (Prevention of Damage and Loss) Act, 1992, in Crime No.349 of 2026, and seeks anticipatory bail.

2. The case of the prosecution is that a property dispute arose between the de-facto complainant and the petitioners. It is alleged that, on 09.10.2026, the petitioners demolished the complainant's house using a tractor, damaged the camera installed therein, and threatened him by attempting to run the tractor towards him. Based on the complaint, the respondent police registered the present case.

3. The learned counsel for the petitioner submitted that the petitioners are innocent and have not committed any offence as alleged by the defacto complainant and that they have been falsely implicated in this case. He further submitted that the petitioners are ready to abide by any stringent condition that may be imposed by this Court and is also ready to cooperate with the investigation. Hence, he prayed for grant of anticipatory bail to the petitioners.

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4. The learned Government Advocate (Criminal Side) opposed the grant of anticipatory bail and submitted that the specific allegation against the petitiones is that they, along with others, jointly demolished the house of the de-facto complainant. He further submitted that the civil suit in O.S.No.32 of 2026 filed by the de-facto complainant in respect of the same property is pending and that the petitioners demolished the house during the pendency of the suit. He also submitted that the tractor and trailer allegedly used for demolishing the house have been recovered. Hence, he sought dismissal of the anticipatory bail petition.

5. I have given my anxious consideration to the submissions made by the learned counsel appearing on either side and have also perused the records available on record.

6. Considering the nature and gratvity of the allegations, the fact that the civil suit in O.S.No.32 of 2026 in respect of the same property is pending, and the specific allegation that the petitioners demolished the house during the pendency of the suit, this Court is not inclined to grant anticipatory bail to the petitioners.

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Order QR

7. Accordingly, this Criminal Original Petition is dismissed.

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To
1.The Inspector of Police,
Konganapuram Police Station,
Salem District.

2.The Public Prosecutor,
High Court of Madras.

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N.RAMESH, J.

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