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Order QR

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 29-10-2026

CORAM

THE HON'BLE MR.JUSTICE N.RAMESH

CRL OP No. 31405 of 2026

CNR: {HCMA012599142026}

N. Sankarsamy

..Petitioner(s)

Vs

The State Rep. by, The Inspector of Police
Kinathukadavu Police Station,
Coimbatore.
Crime No.323 of 2026.

..Respondent(s)

PRAYER : Criminal Original Petition filed under Section 482 of the Bharatiya Nagarik Suraksha Sanhita, Act, 2023, praying to grant Anticipatory bail to the Petitioner in the event of his arrest pending in Cr.No.323 of 2026 on the file of the Respondent Police(Kinathukadavu Police Station),Coimbatore on the basis of the said complaint on such terms and conditions as this Honble Court.

For Petitioner(s): Shakthivel R S

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

ORDER

The petitioner, apprehending arrest at the hands of the respondent Police for the alleged offences punishable under Sections 303(2) and 305(e) of BNS, 2023 in Crime No.323 of 2026, on the file of the respondent Police, seeks anticipatory bail.

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2. The case of the prosecution is that on 24.10.2026, at about 11.00 p.m., the accused, along with his men, illegally cut down five trees standing on Government Poramboke lands in Nallattipalayam and Kodangipalayam Villages without obtaining prior permission, and transported one load of timber. Upon a field inspection, the Village Administrative Officer lodged a complaint.

3. The learned counsel for the petitioner submitted that permission was granted to cut only three trees, and the workers engaged for the purpose had allegedly cut five trees due to a misunderstanding, as they were not conversant with the local language. He further submitted that the petitioner was neither present at the place of occurrence nor had he instructed or authorized the cutting of the additional two trees. He further submitted that the petitioner is ready to abide by any stringent conditions that may be imposed by this Court. Hence, he prayed for the grant of anticipatory bail to the petitioner.

4. The learned Government Advocate (Criminal Side), appearing for the respondent Police, reiterated the prosecution's case and submitted that the investigation is pending. However, he noted that there is no previous case pending against the petitioner. He, therefore, opposed the grant of anticipatory bail to the petitioner.

5. I have given my anxious consideration to the submissions made by

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both sides.

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6. Considering the facts and circumstances of the case, and noting that there is no specific overt act attributed to the petitioner and no previous case pending against him, this Court is inclined to grant anticipatory bail to the petitioner, subject to certain conditions.

7. Accordingly, the petitioner is ordered to be released on bail in the event of arrest or on his appearance, within a period of fifteen (15) days from the date on which the order copy is made ready, before the **learned Judicial Magistrate-I, Pollachi, Coimbatore,** on condition that **the petitioner shall execute a bond for a sum of Rs.15,000/- (Rupees Fifteen 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 petitioner fails 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;

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(c) The petitioner shall report before the respondent Police daily at 10:30 A.M., for a period of two week and 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 petitioner in accordance with law as if the conditions have been imposed and the petitioner was 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 petitioner thereafter abscond, a fresh FIR can be registered under Section 269 of BNS Act.

29-10-2026

GBI

To
1. The Judicial Magistrate-I, Pollachi, Coimbatore.

2. The Inspector of Police
Kinathukadavu Police Station,
Coimbatore.
Crime No.323 of 2026.

3. The Public Prosecutor, High Court of Madras.

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N.RAMESH, J.

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