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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 10-11-2026

CORAM

THE HON'BLE MR.JUSTICE N.RAMESH

CRL OP No. 32482 of 2026

CNR: {HCMA012672272026}

Karthikeyan

Case QR

..Petitioner(s)

Vs

The State Rep By, The Inspector of Police
El, Singanallur Police Station,
Coimbatore District.
(Crime No. 424 of 2026)

..Respondent(s)

PRAYER : Criminal Original Petition filed under Section 482 of the Bharatiya Nagarik Suraksha Sanhita, Act, 2023, praying to enlarge the Petitioner on bail in the event of his arrest in Crime No. 424 of 2026 on the file of the respondent and thus render justice.

For Petitioner(s): Camyles Gandhi W
For Respondent(s): Mr.R.Rajasekaran, Govt.Advocate (Crl.Side)
For Intervener: Mr.S.Udayakumar

ORDER

The petitioner, apprehending arrest at the hands of the respondent Police for the alleged offences punishable under Sections 189(2), 329(4), 305 & 351(3) of BNS, 2023 in Crime No.424 of 2026, on the file of the respondent Police, seeks anticipatory bail.

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2. The case of the prosecution is that a landlord-tenant dispute arose between the petitioner and the *de facto* complainant, who was running a restaurant under the name “Singai Star Biriyani”. On 25.09.2026, the petitioner, along with others, allegedly broke open the lock of the restaurant and removed articles worth Rs.11,00,000/-. A civil suit in O.S.No.580 of 2026 is also pending between them regarding the tenancy. Hence, the case.

3. The learned counsel appearing for the petitioner submitted that the premises was let out to the *de facto* complainant for running a restaurant, whereas he was running an illegal bar. In respect of the said allegation, an FIR was already registered against him in Crime No.185 of 2025, a copy of which is available at Page No.6 of the typed set of papers. He further submitted that the petitioner has undertaken to repay the advance amount directly to the *de facto* complainant as per the rental/lease agreement. Apart from the said advance amount, the petitioner also undertakes to pay a further sum of Rs.2,00,000/- (Rupees Two Lakhs only) towards damages caused due to the alleged eviction. 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 one Dineshkumar, Sub-Inspector of Police, Singanallur Police Station, has recovered the aforementioned goods from the petitioner and that the said items

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are currently in his custody. Hence, he strongly opposed the grant of anticipatory bail to the petitioner.

5. The learned counsel appearing for the intervener/*de facto* complainant submitted that the *de facto* complainant had taken the premises on lease for a monthly rent of Rs.1,30,000/-, paid Rs.8,00,000/- as advance, and incurred a sum of Rs.18,00,000/- towards the interior decoration of the premises. It is stated that on the date of occurrence, the petitioner, along with others, trespassed into the premises and removed valuable articles, thereby causing a huge loss to the tune of more than Rs.18,00,000/- to the *de facto* complainant. It is further stated that he has already filed a civil suit to restrain the petitioner/landlord from evicting him without due process of law, and the said suit is pending.

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

7. The respondent Police are directed to recover all the seized materials from the said Sub-Inspector of Police, hand them over to the *de facto* complainant, and obtain proper acknowledgment.

8. On a perusal of the records, it is seen that an allegation has been made

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regarding the running of an illegal bar in the subject premises, and the petitioner has also come forward to repay the advance amount along with Rs.2,00,000/- towards damages. Considering the above facts and circumstances, this Court is inclined to grant anticipatory bail to the petitioner, subject to certain conditions.

9. 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-III, 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 the following 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) Apart from repaying the advance amount as undertaken, the petitioner is directed to deposit a sum of Rs.2,00,000/- (Rupees Two Lakhs only) to the credit of Crime No.424 of 2026 before the Court concerned at the time of furnishing sureties;

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(c) On such deposit being made, the *de facto* complainant is at liberty to withdraw the said amount upon filing an appropriate application before the Court concerned.

(d) 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;

(e) The petitioner shall report before the respondent Police daily at 10:30 A.M., for a period of 15 days and thereafter as and when required for interrogation;

(f) 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];***

(g) If the petitioner thereafter abscond, a fresh FIR can be registered under Section 269 of BNS Act.

10-11-2026

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Order QR

N.RAMESH, J.

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To

1. The Judicial Magistrate-III, Coimbatore.

2. The Inspector of Police
El, Singanallur Police Station,
Coimbatore District.
(Crime No. 424 of 2026)

3. The Public Prosecutor, High Court, Madras.

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