



CRL OP(MD). No.328 of 2026

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 08/01/2026

PRESENT

The HONOURABLE MRS. JUSTICE S.SRIMATHY

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1.Deivendran
2.Mahadevi
3.Manikandan

... Petitioners/Accused

Vs

State of Tamilnadu,
Rep by Inspector of Police,
Sellur Police Station,
Madurai City.
Crime No.1281 of 2025.

... Respondent/Complainant

For Petitioners : S.Poornachandran
For Respondent : Mr.S.S.Manoj
Government Advocate (Crl.Side)
For Intervener : Mr.Palani Velayutham

PETITION FOR ANTICIPATORY BAIL Under Sec.482 of BNSS

PRAYER :- For Anticipatory Bail in Crime No.1281 of 2025 on the file of the Respondent Police.



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ORDER : The Court made the following order :-

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The petitioners/accused who apprehends arrest at the hands of the respondent police for the offences punishable under sections 191(2), 296(b), 351 (2) of BNS and Section 3(1) of the Tamil Nadu Public Property (Prevention of Damage and Loss) Act, 1992, in Crime No.1281 of 2025 on the file of the respondent police, seeks anticipatory bail.

2. The case of the prosecution is that on 21.12.2025, when the petitioners demolished the entire compound wall, the defacto complainant rushed to the spot, whereupon the petitioners criminally intimidated and abused the defacto complainant. Hence, the case.

3. The learned counsel appearing for the petitioners submitted that the petitioners are innocent and have not committed any offence as alleged by the prosecution. He further submitted that the land belongs to the petitioners and that they intended to put up construction, therefore, they demolished their own compound wall. Hence, he prayed for the grant of anticipatory bail to the petitioners.



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4. The learned Government Advocate (Criminal Side) appearing for the respondent Police submitted that the wall had been put up about 30 years ago and that the police cannot interfere in a civil dispute.

5. Taking into consideration of the facts and circumstances of the case and also considering the nature of allegation, this Court is inclined to grant anticipatory bail to the petitioners.

6. Accordingly, this Petition is allowed and the petitioners are ordered to be released on bail in the event of arrest or their appearance, within a period of fifteen days from the date on which the order copy made ready, before the learned Judicial Magistrate No.II, Madurai, on condition that the petitioners shall execute a bond for a sum of Rs.10,000/-(Rupees Ten Thousand only) each with two sureties, each for a like sum to the satisfaction of the respondent Police or to the Police Officer, who intends to arrest or to the satisfaction of the learned Magistrate concerned and on further conditions that:



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(a) the petitioners and the sureties shall affix their photographs and left thumb impression in the surety bond and the Magistrate may obtain a copy of their Aadhar card or Bank pass Book to ensure their identity;

(b) the petitioners 1 and 3 shall report before the respondent police daily at 10.30 a.m for a period of one week and thereafter, as and when required for interrogation. The second petitioner shall report before the respondent police as and when required for interrogation;

(c) the petitioners shall not tamper with evidence or witness either during investigation or trial;

(d) the petitioners shall not abscond either during investigation or trial;

(e) on breach of any of the aforesaid conditions, the learned Magistrate/ Trial Court is entitled to take appropriate action against the petitioner in accordance with law as if the conditions have been imposed and the petitioners released on bail by the learned Magistrate/Trial Court himself as laid down by the Hon'ble Supreme Court in *P.K.Shaji Vs. State of Kerala [(2005) AIR SCW 5560]*; and;



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(f) if the accused thereafter abscond, a fresh FIR can be

WEB COPY registered under Section 269 of BNS 2023.

(S S Y J)
08.01.2026

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TO

- 1.The Judicial Magistrate II, Madurai.
- 2.The Inspector of Police,
Sellur Police Station,
Madurai City,
- 3.The Additional Public Prosecutor,
Madurai Bench of Madras High Court, Madurai.



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S.SRIMATHY,J

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ORDER
IN
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