



CRL OP(MD) NO.2151 of 2026

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 10.02.2026

CORAM

THE HONOURABLE MRS JUSTICE S.SRIMATHY

CRL OP(MD) NO.2151 of 2026

1. Senthamilselvan
2. Seeniraj
3. K. Samy
4. Karuppasamy
5. Kannan
6. Kowshik Raj
7. Babu @ Murugaraj
8. Selvin @ Selvam
9. Prasath
10. Tamilarasan
11. Velusamy
12. Murugaraj @ Babu
13. Kannamal @ Kannatha
14. Manimaran
15. Madathiyammal
16. Shanmugathai

... Petitioners

Vs

The State of Tamil Nadu Rep By,
The Sub-Inspector of Police,
Kadayanallur Town Police Station,
Thanjavur District.
Cr.No. 35 of 2026

... Respondents



CRL OP(MD) NO.2151 of 2026

PRAYER :- For Anticipatory Bail in Crime No. 35 of 2026 on the file of the respondent Police.

For Petitioners : Mr.R.Rajeshkumar

For Respondent : Mr.S.S.Manoj,
Government Advocate (Crl.Side)

For Intervenor : Mr.M. Dinesh Hari Sudarsan

ORDER

The petitioners, who apprehend arrest at the hands of the respondent police for the offences punishable under Sections 191(2), 191(3), 329(1), 296(b), 326(e), 303(2) and 49 of BNS Act, 2023 its corresponding offence under IPC Sections 147, 148, 441, 294(b), 434, 379 and 109 of IPC, in Crime No.35 of 2026 on the file of the respondent police, seek anticipatory bail.

2. The case of the prosecution is that the petitioners have trespassed into the lands of the defacto complainant and used filthy language against him and further destroyed all the fencing and iron gates and tool, articles all with them. A case has been registered as against the petitioners.

3. The learned Government Advocate (Crl. side) appearing for the respondent police strongly opposed to grant anticipatory bail to the petitioners.



CRL OP(MD) NO.2151 of 2026

4. The contention of the petitioners is that they are using the pathway and are claiming an easementary right over the same. Further, the petitioners claim that they belong to the SC/ST community and therefore have a right. The further contention is that there was an order to initiate acquisition proceedings, however, none of those proceedings culminated in conferring any right upon the petitioners. Hence, this Court is of the considered opinion that even if easementary right it is conferred on the petitioners, the same would not grant any right upon the petitioners to damage the defacto complainant's property or to threaten the de facto complainant. It appears that the entire village has become aggressive. Therefore, this Court is not inclined to grant anticipatory bail to the petitioners.

5. Accordingly, this Criminal Original Petition stands dismissed.

10.02.2026

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CRL OP(MD) NO.2151 of 2026

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TO

1. The Sub-Inspector of Police,
Kadayanallur Town Police Station,
Thanjavur District.
2. The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.