



CRL OP(MD), No.2266 of 2026

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 05.02.2026

PRESENT

THE HON'BLE MRS JUSTICE S.SRIMATHY

CRL OP(MD)No.2266 of 2026

Gunaseelan

... Petitioner/ Accused

Vs

The State of Tamil Nadu
Represented by
The Inspector of Police,
Kannivadi FRO,
Dindigul District.
(WLOR.No.02 of 2026)

... Respondent

For Petitioner : Mr.K.Govindarajan
For Mr.V.Dinesh Kumar

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

PETITION FOR ANTICIPATORY BAIL Under Sec.482 of BNSS Act
2023.

PRAYER :-For Anticipatory Bail in WLOR No.2 of 2026 on the file of
the Respondent Police.



CRL OP(MD), No.2266 of 2026

ORDER : The Court made the following order :-

The petitioner/Accused, who apprehends arrest at the hands of the respondent police for the offences punishable under Sections 2(15), (37), 9, 21(d)(f) 21(2) 51(1) of Wild Life Protection Act 1972 and Section 41, 42, 50(d) Tamilnadu Forest Act 1882 and Section 2(a), 15, 56 of Environment Protection Act 1986 and Section 2(b)(c)(o), 56 Biodiversity Act 2002 and 132 of BNSS Act, in WLOR No.2 of 2026 on the file of the respondent police, seeks anticipatory bail.

2. The case of the prosecution is that the petitioner owned patta land situated near a reserve forest area and had allegedly obstructed the natural streams flowing through the reserve forest, thereby blocking water resources essential for the livelihood of wildlife and the public. It is further alleged that the petitioner constructed a dam and cottage without obtaining prior permission from the District Collector. For the purpose of such construction, he is said to have broken stones within the forest area and used the forest road without authorization. Subsequently, when the Forest Ranger engaged three JCB machines to remove the unauthorized dam and construction, the petitioner, along with other



CRL OP(MD), No.2266 of 2026

accused persons, allegedly damaged the JCB machines and caused loss to the Government. Hence, the complaint was filed.

3. The learned counsel for the petitioner submitted that the petitioner is an innocent person and he has not committed any offence as alleged by the prosecution. He further submitted that the petitioner had already obtained permission from the concerned authorities, and that the said authorities had not specified whether the structure was a dam or a check dam. He also stated that the wall could be raised only to the extent permitted, as no specific height had been prescribed. He further submitted that the petitioner is willing to abide by any conditions that may be imposed by this Court. Hence, he seeks anticipatory bail for the petitioner.

4. The learned Government Advocate (Crl.Side) submitted that there is no previous case pending against the petitioner. However, he vehemently opposed to grant anticipatory bail to the petitioner.



CRL OP(MD), No.2266 of 2026

5. Considering the facts and circumstances of the case and also the fact that there are no previous case pending against the petitioner, this Court is inclined to grant anticipatory bail to the petitioner, subject to certain conditions.

6. Accordingly, the petitioner is ordered to be released on bail in the event of arrest or on his appearance, on condition that the petitioner shall execute a bond for a sum of Rs.10,000/- (Rupees Ten Thousand only) with two sureties, each for a like sum to the satisfaction of the learned Judicial Magistrate, Author, within a period of fifteen days from the date of receipt of a copy of this order and on further conditions that:

[a] the petitioner and the sureties shall affix their photographs and left thumb impression in the surety bond and the Magistrate may obtain a copy of their Aadhaar card or bank pass book to ensure their identity;

[b] the petitioner 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.



CRL OP(MD), No.2266 of 2026

[c]the petitioner shall not tamper with the evidence or witness either during investigation or trial.

[d]the petitioner 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 petitioner is 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].

[f] If the accused thereafter absconds, a fresh FIR can be registered under Section 269 of BNS.

(S S Y J)
05.02.2026

msrm



CRL OP(MD), No.2266 of 2026

WEB COPY

To

1. The learned Judicial Magistrate,
Author.
2. The Inspector of Police,
Kannivadi FRO,
Dindigul District.
3. The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.



WEB COPY



CRL OP(MD). No.2266 of 2026

S.SRIMATHY,J

msrm

**ORDER
IN
CRL OP(MD). No.2266 of 2026**

05.02.2026