



CRL OP(MD). No. 5995 of 2026

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 26.03.2026

PRESENT

THE HONOURABLE MR. JUSTICE P. DHANABAL

CRL OP(MD). No. 5995 of 2026

- 1.Senthamilselvan
- 2.Seeniraj
- 3.Murugan @ Murugaraj
- 4.Babu @ Murugaraj
- 5.Shanmugathai

..Petitioners/
A1, 2, 7, 12 & 17

Vs

State of Tamil Nadu rep. by
The Sub Inspector of Police,
Kadayanallur Town Police Station
Tenkasi District.
(Crime No.35 of 2026)

...Respondent/Complainant

For Petitioners:Mr.Chokkusamy Balasubramaniam
Advocate.

For Respondent :Mr.P.Kottai Chamy
Government Advocate (Crl. Side)

For Intervener :Mr.Simiyon Vergil

PETITION FOR ANTICIPATORY BAIL Under Sec.482
of BNSS

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



CRL OP(MD). No. 5995 of 2026

ORDER : The Court made the following order :-

WEB COPY The petitioners/A1, 2, 7, 12 & 17, who apprehend arrest at the hands of the respondent for the offences punishable under Sections 191(2), 329(1), 296(b), 324(5), 303(2) r/w 49 of BNS Act, 2023, 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 land measuring to an extent of 11 cents in S.Nos. 124/1, 124/19 and 124/12 located in Kambaneri Puthukudi-I village, Kadayanallur Taluk, Tenkasi District belonged to the defacto complainant. The said land was acquired by the Adi Dravidar and scheduled Tribe commission for the purpose of pathway to the burial ground without his acceptance. On 01.09.2022, this Court in W.P. (MD).No.13598 of 2022, was pleased to cancel the sub division of the land. On that basis, on 10.10.2024 the boundary of his land was fixed by



CRL OP(MD). No. 5995 of 2026

the Surveyor. On that basis, the defacto complainant was maintaining his land by putting fencing. In these circumstances, on 28.01.2026, at 06.00 p.m., the petitioners and other accused persons trespassed into the land of the defacto complainant and caused damage to the coconut trees worth about Rs.1,50,000/-. Hence, the case.

3. The learned counsel for the petitioners would submit that the petitioners are innocent persons and they were falsely implicated in this case and they are no way connected in the above said incident. He would further submit that the co-accused has already been granted anticipatory bail. Hence, he prays to grant anticipatory bail to the petitioners.

4.The learned counsel appearing for the intervener would submit that the petitioners and other accused persons trespassed into the land of



CRL OP(MD). No. 5995 of 2026

the defacto complainant and caused damage to the coconut trees worth about Rs.1,50,000/- and investigation is pending. Hence, he opposed to grant anticipatory bail to the petitioners.

5. The learned Government Advocate (Crl. Side) fairly submits that the petitioners have no previous cases. However, he opposes to grant anticipatory bail to the petitioners.

6. Heard both sides and perused the materials available on record.

7. Considering the rival submissions on either side and the nature of offences charged against the petitioners and also considering the fact that no previous cases pending against the petitioners and the co-accused has already been granted bail, I am inclined to grant anticipatory bail to the petitioners, subject to the following



CRL OP(MD). No. 5995 of 2026

conditions:

WEB COPY

[a] Accordingly, the petitioners are ordered to be released on anticipatory bail on condition to 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 learned Judicial Magistrate, Tenkasi, and on further conditions that:

[b] the petitioners shall report before the respondent police daily at 10.30 a.m., until further orders.

[c] the petitioners shall not commit any offences of similar nature.

[d] the petitioners shall not abscond either during investigation or trial.

[e] the petitioners shall not tamper with evidence or witness either during investigation or trial.

[f] On breach of any of the aforesaid



CRL OP(MD). No. 5995 of 2026

WEB COPY

conditions, the learned Judicial Magistrate/Trial Court is entitled to take appropriate action against the petitioners 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].

[g] If the accused thereafter absconds, a fresh FIR can be registered under Section 269 B.N.S.

(P D B J)

26.03.2026

vsg



CRL OP(MD). No. 5995 of 2026

WEB COPY

To

- 1.The learned Judicial Magistrate, Tenkasi.
- 2.The Sub Inspector of Police,
Kadayanallur Town Police Station
Tenkasi District.
- 3.The Additional Public Prosecutor,
Madurai Bench of Madras High Court, Madurai.



WEB COPY



CRL OP(MD). No. 5995 of 2026

P. DHANABAL, J.,

vsg

ORDER
IN
CRL OP (MD) No. 5995 of 2026

Date : 26.03.2026