



CrI.O.P.(MD)No.6939 of 2026

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 09.04.2026

PRESENT

THE HONOURABLE MR. JUSTICE P. DHANABAL

CRL OP(MD). No. 6939 of 2026

Seeman Chithambaram

... Petitioner

Vs

State of Tamil Nadu rep. by
The Inspector of Police,
Kottar Police Station,
Kanniyakumari District.
(Crime No.94 of 2026)

...Respondents/Complainant

For Petitioner : Mr.N.Dilipkumar
Advocate.

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

For Intervenor : Mr.Muthurakkan for Mr.Pragalathan

PETITION FOR ANTICIPATORY BAIL Under Sec.482 of BNSS

PRAYER :-

For Anticipatory Bail in Cr.No. 94 of 2026 on the file of the respondent police.

ORDER : The Court made the following order :-

The petitioner, who apprehends arrest at the hands of the respondent for the offences punishable under Sections 329(4), 324(4) and 305 of BNS, in



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Crime No.94 of 2026, on the file of the respondent police, seeks anticipatory bail.

2. The case of the prosecution is that on 05.03.2026 at about 10.30 p.m., the petitioner along with other accused person, allegedly broke open the shop, damaged the tyres and equipments and stole Rs.1,08,000/-. Again on 07.03.2026, at 12.30 a.m., the petitioner along with 10 Goondas and two advocates allegedly trespassed and stole the tyres, wheel alignment machine and computer worth about Rs.40,00,000/-. Hence, the case.

3. The learned counsel for the petitioner submits that the petitioner is innocent and he was falsely implicated in this case and he is no way connected in the above said incident. He has not committed any offence as alleged by the prosecution. The petitioner's mother is the landlord of the property. The defacto complainant is a tenant running a wheel alignment workshop for the past 15 years. He committed continuous default in payment of rent and refused to vacate the property. Therefore, his mother filed a suit in O.S.No.529 of 2023, which was decreed in her favour. Against which, the defacto complainant filed appeal in A.S.No.39 of 2025, wherein no stay was granted. Hence, the decree remains executable and to enforce the decree execution petition in E.P.No.19 of



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2026 was filed and posted on 11.03.2026. The defacto complainant locked the main gate and causing hardship to other tenants. Anticipating eviction, the tenant began creating nuisance; locked the property with a new lock, cut the common passage water line and parked vehicles in the pathway and till now possession of the premises remains with the defacto complainant. Hence, he prays to grant Anticipatory Bail to the petitioner.

4. The learned counsel for the intervenor submitted that there is a dispute between the parties in respect of tenancy. Hence, the petitioner stolen the articles worth about Rs.1,08,000/- on 05.03.2026 and thereafter, on 07.03.2026 again he stole articles namely computers and other machineries, worth about Rs.40,00,000/-.

5. The learned Government Advocate (CrI. Side) submits that the dispute is also civil in nature. There is a dispute between the parties with regard to the tenancy of the property. Due to which, the petitioner committed theft by breaking open the shop of the defacto complainant on two times. Hence, he vehemently opposed the grant of anticipatory bail to the petitioner. However, the petitioner has no previous case.



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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 petitioner, there is a dispute between the parties with regard to the tenancy, already civil suit in O.S.No.529 of 2023 ended in favour of the petitioner and against which appeal in A.S.No.39 of 2025, filed by the defacto complainant and pending the same, execution petition in E.P.No.19 of 2026 is also filed and pending, considering the nature of dispute and there is no previous case against the petitioner, and also considering all the facts and circumstances of the case, I am inclined to grant anticipatory bail to the petitioner, subject to the following conditions:

[a] Accordingly, the petitioner is ordered to be released on anticipatory bail on condition to 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 **Sessions Judge, Nagercoil, Kanniyakumari District**, and on further conditions that:

[b] the petitioner shall report before the respondent police, at 10.30 a.m., on every Saturday, for a period of four weeks, thereafter, as and when required for interrogation;

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



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

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

[f] On breach of any of the aforesaid conditions, the learned Judicial 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 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)
09.04.2026

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To

- 1.The Sessions Judge, Nagercoil, Kanniyakumari District.
- 2.The Inspector of Police,
Kottar Police Station,
Kanniyakumari District.
(Crime No.94 of 2026)
- 3.The Additional Public Prosecutor,
Madurai Bench of Madras High Court, Madurai.



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P. DHANABAL, J.

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ORDER
IN
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