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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 04.03.2026

PRESENT

The HONOURABLE **MR. JUSTICE K.K.RAMAKRISHNAN**

CRL OP (MD) .No.23139 of 2025

1.R.Madhavi

2.R.Muthuraja

3.Madhubala

... Petitioners/Accused No.1to3

Vs

State of Tamilnadu Rep by,
The Inspector of Police,
Sempatti South Police Station,
Dindigul District.
(Crime No.416 of 2025)

... Respondent/Respondent

(Crime Number was amended vide order dated
04.03.2026 by KKRKJ)

For Petitioners : Mr.M.Viji,
Advocate.

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



PRAYER :-

WEB COPY For Anticipatory Bail in Crime No.416 of 2025 on the file of the Respondent Police.

ORDER : The Court made the following order :-

The petitioners, who apprehend arrest at the hands of the respondent police for the offences punishable under Sections 191(2), 329(4) & 324(4) of BNS (Corresponding Section 147, 448 & 427 of IPC), in Crime No.416 of 2025, on the file of the respondent police, seek anticipatory bail.

2. According to the prosecution, due to civil dispute, on 04.12.2025 at about 10.20 a.m, three unknown persons are said to have trespassed into the defacto complainant's property and caused damaged to the compound wall valued at about Rs.1,00,000/-. Thereby, the respondent police registered a case against them for the afore said offences. Hence, this petition.



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3. The learned counsel for the petitioners submitted that the petitioners are innocent persons and they have not committed any offences as alleged by the prosecution. He further submitted that there was a dispute between the petitioners and the defacto complainant relating to the enjoyment of the property and also the case was registered by taking advantage of rivalry and no previous case is pending against the petitioners. Hence, he seeks anticipatory bail to the petitioners.

4. The learned Government Advocate (Crl.Side) strongly opposed this petition stating that the petitioners are said to have illegally trespassed into the defacto complainant's property and caused damage to the compound wall valued at about Rs.1,00,000/-. However, he fairly conceded that no previous case is pending against the petitioners.

5. This Court considered the rival submissions and perused the materials available on record.



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6. Considering the facts and circumstances of the case and also taking into account of the fact that there is a averment mentioned in the FIR that 3 unknown persons, this Court is inclined to grant anticipatory bail to the petitioners.

7. Accordingly, this Criminal Original Petition is allowed on condition that the petitioners shall deposit a sum of **Rs.10,000/- (Rupees Ten Thousand only) each** to the **credit of Cr.No.416 of 2025** before the trial Court concerned, without prejudice to his rights and contentions before the trial Court.

8. On such deposit being made, the petitioners are ordered to be released on bail in the event of arrest or on their appearance, before the learned Judicial Magistrate, Author, Dindigul District, on condition that the petitioners 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 Magistrate concerned within a period of fifteen days from the date on which the order copy is made ready and on further conditions that:



[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 Aadhaar card or bank pass book to ensure their identity;

[b] the petitioners shall report before the **respondent police daily at 10.30 a.m, for a period of 15 days and thereafter, as and when required for interrogation;**

[c]the petitioners shall not tamper with the 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 petitioners in accordance with law as if the conditions have been imposed and the petitioners 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];



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

04.03.2026

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TO

1. The Judicial Magistrate,
Author, Dindigul District.
2. The Additional Public Prosecutor,
Madurai Bench of Madras High Court, Madurai.



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K.K.RAMAKRISHNAN, J. ,

dss

ORDER
IN
CRL OP (MD) No.23139 of 2025

Date : 04/03/2026