

V.Muthukumar Vs The State, Rep. by

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Court : Chennai

Decided On : Mar-03-2026

Judge : Honourable Mr.Justice C.Kumarappan

Appeal No. : CRL OP/3066/2026

Appellant : V.Muthukumar

Respondent : The State, Rep. by

Judgement :

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 03-03-2026

CORAM

THE HONOURABLE MR.JUSTICE C.KUMARAPPAN

1. V.Muthukumar Petitioner(s) Vs

1. The State, Rep. by

The Inspector of Police, K.G.Chavadi Police Station, Coimbatore. Respondent(s)
For Petitioner(s): Thangavel Ma P For Respondent(s): Mr.P.Dhileepan,
Government Advocate (Crl.Side)

ORDER

The petitioner, apprehending arrest for the alleged offences under Sections 191(2), 329(3), 351(3) and 303(2) of the Bharatiya Nyaya Sanhita, 2023, in Crime No.229 of 2025 on the file of the respondent police, seeks anticipatory bail.

2. The allegation against the petitioner is that the petitioner trespassed into the disputed property and destroyed several trees belonging to the defacto complainant. Hence, the case has been registered.

3. The learned counsel for the petitioner would submit that the petitioner is

the owner of the property comprised in S.F.Nos.738, 739, 740/1, 740/2 and 741, to a total extent of 18.27 acres, and that he is in absolute possession and enjoyment of the same. According to him, a neighbouring landowner, falsely claiming right over the said property, has lodged a complaint on 11.12.2025 alleging that the petitioner destroyed teakwood trees, moringa trees, bamboo trees, palmyra trees, and banana trees using a JCB in the aforesaid lands. It is his specific case that the property absolutely belongs to him and that the complaint is false. He further submitted that the petitioner is ready to abide by any condition imposed by this Court and to cooperate with the investigation. Hence, he prayed for grant of anticipatory bail.

4. The learned Government Advocate (Crl. Side) appearing for the

respondent police, while opposing the grant of anticipatory bail to the petitioner, reiterated the prosecution case and, on instructions, submitted that though the FIR refers to about twenty other persons, till date no accused has been arrested.

5. I have given anxious consideration to the submissions made by the learned counsel on either side.

6. Considering the facts and circumstances of the case and the nature of

allegations, this Court is of the view that custodial interrogation of the petitioner is not required. Hence, this Court is inclined to grant anticipatory bail to the petitioner, subject to certain conditions.

7. Accordingly, the petitioner is ordered to be released on bail in the event

of arrest or on his appearance within a period of fifteen (15) days from the date on which the copy of this order is made ready, before the learned District Munsif-cum-Judicial Magistrate Court, Madhukari, Coimbatore District, on condition that the petitioner shall execute a bond for a sum of Rs.20,000/- (Rupees Twenty Thousand only), with two sureties each for a like sum, to the satisfaction of the learned Magistrate concerned, and on further conditions:

(a) If the petitioner fails to surrender before the concerned learned Magistrate within a period of fifteen (15) days from the date of receipt of a copy of this order, this order shall stand automatically cancelled;

(b) The sureties shall affix their photographs and left thumb impression in the application for surety ship (Judicial

Form No.46 annexed to 'The Criminal Rules of Practice, 2019]'. The learned Magistrate shall obtain a copy of any one of identify proofs to ensure their identity;

(c) The petitioner shall report before the respondent Police, everyday at 10.30 a.m., for a period of eight weeks and thereafter, as and when required for interrogation;

(d) On breach of any of the aforesaid conditions, the

learned Magistrate/Trial Court is entitled to take appropriate actions against the petitioner in accordance with law as if the conditions have been imposed and the petitioner released on anticipatory bail by the learned Magistrate/Trial Court himself as laid down by the Hon'ble Supreme Court in P.K.Shaji v. State of Kerala [(2005) AIR SCW 5560];

(e) If the petitioner thereafter absconds, a fresh FIR can be registered under Section 269 of BNS Act. 03-03-2026 skr Index:Yes/No

Speaking/Non-speaking order

Internet:Yes Neutral Citation:Yes/No To

1. The learned District Munsif cum Judicial Magistrate Court, Madhukari, Coimbatore District.
2. The Inspector of Police, K.G.Chavadi Police Station, Coimbatore.
3. The Public Prosecutor, Madras High Court, Chennai.

C.KUMARAPPAN,J.

skr Crl.O.P.No.5192 of 2026 03.03.2026

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