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Crl.OP.No.12145 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 23.04.2025

CORAM

THE HONOURABLE MR.JUSTICE SUNDER MOHAN

Crl.OP.No.12145 of 2025

K.Balasubramaniyan @ Balu @ Kallapuram Balu ... Petitioner(s)

Vs.

State represented by the Inspector of Police,
Udumalpet Police Station,
Udumalaipet,

Tamil Nadu – 642 126
(Crime No.50 of 2025)

... Respondent(s)/ Complainant

Prayer: Criminal Original Petition filed under Section 483 of BNSS 2023,
to enlarge the petitioner on bail pending investigation in Crime No.50 of
2025 on the file of the respondent.

For petitioner(s) : Mr.G.Karuppasamy Pandian

For Respondent(s) : Mr.Leonard Arul Joseph Selvam
Government Advocate (Crl.Side)

ORDER



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This is the second bail application filed by the petitioner before this Court.

2. The earlier bail application filed by the petitioner was dismissed as withdrawn before this Court on 03.03.2025.

3. This Criminal Original Petition has been filed by the petitioner, who was arrested and remanded to judicial custody on 03.02.2025, seeking bail in Crime No.50 of 2025 registered for the offences under Sections 296(b), 115(2) and 351(3) of BNS r/w Section 4 of TNPHW Act @ Section 296(b), 109(1) and 351(3) of BNS r/w Section 4 of TNPHW Act.

4. The case of the prosecution is that on account of prior enmity, the petitioner attacked the defacto complainant with hands and abused her in filthy language.

5. The learned counsel appearing for the petitioner submitted that the allegations are false; and that in any case, custodial interrogation is not



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required and sought for bail to the petitioner.

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6. The learned Government Advocate (Crl. Side) appearing for the respondent police, while opposing the grant of bail to the petitioner, reiterated the prosecution case and on instructions submitted that injured has been discharged from the hospital.

7. Considering the nature of allegations, the fact that the injured has been discharged from the hospital; the petitioner has no bad antecedents and since, further custody of the petitioner is not required, this Court is inclined to grant bail to the petitioner with certain conditions.

8. Accordingly, the petitioner is ordered to be released on bail on his executing a bond for a sum of **Rs.15,000/- (Rupees Fifteen Thousand only)** with **two sureties**, each for a like sum to the satisfaction of the **learned Judicial Magistrate-I, Udumalpet**, and on further conditions that:

[a] the sureties shall affix their photographs



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and Left Thumb Impression in the surety bond and the Magistrate may obtain a copy of their Aadhar card or Bank pass Book to ensure their identity;

[b] the petitioner shall report before the respondent Police, everyday at 10.30 a.m., until further orders;

[c] the petitioner shall not abscond either during investigation or trial;

[d] the petitioner shall not tamper with evidence or witness 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 released on bail by the learned Magistrate/Trial Court himself as



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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 B.N.S.

23.04.2025

Index : Yes/No
Speaking Order/Non Speaking Order
Neutral Citation: Yes/No
Internet: Yes/No
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To

1. Inspector of Police,
Udumalpet Police Station,
Udumalaipet, Tamil Nadu – 642 126
2. The Public Prosecutor,
Madras High Court,
Chennai.



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3. Learned Judicial Magistrate-I, Udumalpet.

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4. The Superintendent of Prison,
Sub-Jail, Udumalpet, Tiruppur.

SUNDER MOHAN, J.

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