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CRL OP No. 15221 of 2025



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 15-05-2025

CORAM

THE HONOURABLE MR JUSTICE M. NIRMAL KUMAR

CRL OP No. 15221 of 2025

1. Balamanikandan
S/o.Chandrasekaran, No 33,
Nachimuthu Gounder Street, Pollachi,
Coimbatore - 642 001.

Petitioner(s)

Vs

1. State represented by,
The Inspector of Police,
Mahalingapuram Police Station,
Coimbatore District.
(Crime No.65 of 2025)

Respondent(s)

PRAYER

To enlarge the Petitioners on bail in the event of their arrest concerned in Crime No.65 of 2025, on the file of the Inspector of Police, Mahalingapuram Police Station, Coimbatore District.

For Petitioner : Mr. Arul Selvan S
For Respondent : Mr.V.Meganathan
Government Advocate (Crl.Side)

For Defacto complainant : Mr.R.Parthiban

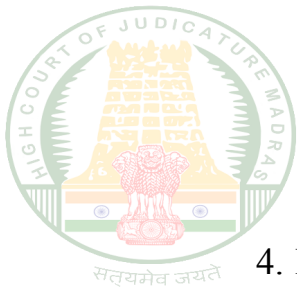


ORDER

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2. The case of the prosecution is that the defacto complainant is the estranged wife of of the petitioner and due to the matrimonial dispute between them, the case is registered against the petitioner.

3. The learned counsel appearing for the petitioner submits that the petitioner and the defacto complainant have been living separately due to personal differences. On a particular day, a news was published in a daily magazine alleging that the defacto complainant was involved in an illicit relationship with another individual. The petitioner, upon coming across this article, was shocked and this lead to a misunderstanding between them. He further submitted that a divorce case is pending before the Family Court concerned. Hence, the case has been falsely foisted against the petitioner. He further submits that the petitioner is ready and willing to abide by any conditions that may be imposed by this Court and hence, he prays to grant anticipatory bail to the petitioner.



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4. Mr.R.Parthiban, learned counsel appearing for the defacto complainant submitted that the defacto complainant is the estranged wife of the petitioner and due to misunderstanding between them, the petitioner attacked the defacto complainant, and she was admitted in the hospital. He further submitted that the petitioner is constantly harassing and attacking the defacto complainant. Hence, he opposed for grant of anticipatory bail to the petitioner.

5. The learned Government Advocate (Criminal Side) appearing for the respondent police submitted that due to misunderstanding between the petitioner and the defacto complainant, the petitioner attacked the defacto complainant, due to which, she was admitted in the hospital and now, she has been discharged. Hence, he opposed for grant of anticipatory bail to the petitioner.

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

7. Taking note of the facts and circumstances of the case, nature of allegations, submissions made by the learned counsels on either side and the injured has been discharged from the hospital, this Court is inclined to grant anticipatory bail to the petitioner with certain conditions.



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8. 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 of receipt of a copy of this order, before the learned **Judicial Magistrate II, Pollachi**, on condition that the petitioner 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 respondent police or the police officer who intends to arrest or to the satisfaction of the learned Magistrate concerned and on further condition that:

[a] the sureties shall affix their photographs 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 as and when required for further interrogation;

[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 petitioners in accordance with law as if the conditions have been imposed and the petitioners released on bail



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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]*;

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

15-05-2025

ASI

To

1. The Inspector of Police,
Mahalingapuram Police Station,
Coimbatore District.
2. The Judicial Magistrate II, Pollachi.
3. The Public Prosecutor,
High Court of Madras, Chennai.



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M.NIRMAL KUMAR J.

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