

Crl.O.P.No.19727 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

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DATED : 08.08.2025

CORAM

THE HONOURABLE MR. JUSTICE M.NIRMAL KUMAR

Crl.O.P.No.19727 of 2025

Balaiya

.. Petitioner/A6

Vs.

The State Rep by,
The Inspector of Police,
Otteri Police Station,
Chengalpattu District.
(Crime No.529 of 2025)

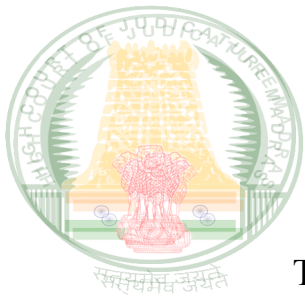
.. Respondent

PRAYER: Criminal Original Petition filed under Section 482 of Bharatiya Nagarik Suraksha Sanhita, 2023, to enlarge the petitioner on bail in the event of his arrest in Crime No.529 of 2025 on the file of the respondent police.

For Petitioner : Mr.C.Arivazhagan

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

ORDER

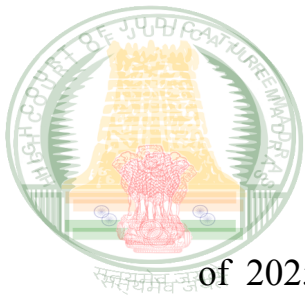


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The petitioner, who apprehends arrest at the hands of the respondent police for the offences punishable under Sections 296(b), 329(4), 351(2) of BNS r/s Section 4 of Tamil Nadu Prohibition of Harassment of Women Act, 2002, in Crime No.529 of 2025, seeks anticipatory bail.

2. The case of the prosecution is that based on a complaint by Celine Resaily, the new appointed Operational in-charge of Vandalur ALDS Bunk in “GO GAS”. The complaint alleges that Shriram Sethupathy and four others trespassed into the bunk, switched off the camera's power, and threatened the complainant using abusive language. The petitioner, who is the Territory Manager, claims that the accused persons came to collect outstanding dues on their instruction. Hence, the case.

3. Learned counsel appearing for the petitioner submits that the petitioner is innocent, has not committed any offence, as alleged by the prosecution and has been falsely implicated in this case due to a business rivalry between the previous and existing agencies. The petitioner having no role in the agencies and not being present at the scene. He further submits that a co-accused was already granted anticipatory bail in Crl.M.P.No.2029



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of 2025 dated 16.07.2025 by the learned Principal District and Sessions Judge, Chengalpattu. The petitioner is ready and willing to abide by any conditions that may be imposed by this Court. Hence, he prays to grant anticipatory bail to the petitioner.

4. Learned Government Advocate (Crl.Side) appearing for the respondent Police while opposing the grant of anticipatory bail to the petitioner reiterated the prosecution case.

5. Having heard the learned counsel for the petitioner and the learned Government Advocate (Criminal Side) for the respondent Police and perused the materials available on record, this Court is inclined to grant anticipatory bail to the petitioner with certain conditions.

6. Accordingly, the petitioner is ordered to be released on bail in the event of arrest or on his appearance, within a period of fifteen days from the date on which the order copy made ready, before **the learned Additional Mahila Court, Chengalpattu**, 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 proof of payment of deposits, failing which, the petition for anticipatory bail shall stand dismissed and on further condition that:

[a] if the petitioner fails to surrender before the said Magistrate within a period of fifteen days, this order shall stand automatically cancelled;

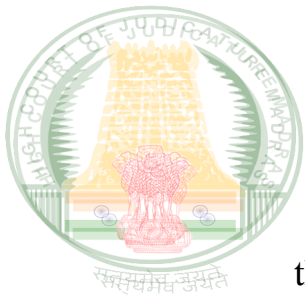
[b] the sureties shall affix their photographs and left thumb impression in the Application for Suretyship [Judicial Form No.46 annexed to 'The Criminal Rules of Practice, 2019']. The learned Magistrate shall obtain a copy of any one of identify proofs to ensure their identity;

[c] the petitioner shall report before the respondent Police for a period of two weeks and thereafter, as and when required for interrogation;

[d] the petitioner shall not directly or indirectly cause any threat to the de facto complainant and witnesses and shall not tamper with evidence or witness either during investigation or trial;

[e] the petitioner shall make himself available for interrogation by a Police office as and when required;

[f] the petitioner to give an undertaking that if required for being identified by witnesses during investigation or for Police custody beyond the first fifteen days, he shall comply to



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the directions as may be given by the Court in this regard;

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

[h] 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 laid down by the Hon'ble Supreme Court in P.K.Shaji vs. State of Kerala [(2005)AIR SCW 5560];

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

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cda

To

- 1.The Additional Mahila Court, Chengalpattu.
- 2.The Inspector of Police,
Otteri Police Station,
Chengalpattu District.
- 3.The Public Prosecutor,
Madras High Court, Chennai.

M.NIRMAL KUMAR, J.

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