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Crl.O.P.No.23194 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 21.08.2025

CORAM

THE HON'BLE DR. JUSTICE G. JAYACHANDRAN

Crl.O.P.No.23194 of 2025

Balakrishnan

... Petitioner/ Accused No.1

Vs.

The State Represented by,
The Inspector of Police,
Anupparpalayam Police Station,
Tiruppur District.
(Crime No.428 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 connection with Crime No.428 of 2025 on the file of
respondent Police.

For Petitioner(s) : Mr. Balaji Thirumoorthy

For Respondent : Mr. S. Vinoth Kumar
Government Advocate (Crl.Side)



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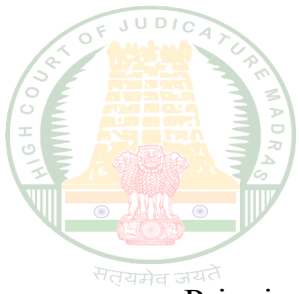
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ORDER

The petitioner, who apprehends arrest at the hands of the respondent police for the offences punishable under **Section 191(2) of BNS, 2023 and Section 3 of the TN Public Property (Prevention of Damage and Loss) Act, 1992 in Crime No.428 of 2025**, on the file of the respondent Police, seeks anticipatory bail.

2. The case of the prosecution is that the Assistant Executive Engineer, Zone-1, Tiruppur Corporation lodged a complaint on 14.08.2025 before the respondent police stating that the petitioner along with other accused have demolished a 12 feet height compound wall of a gated community by using JCB machines without any notice and disrupted the water supply by damaging the water supply pipe in "Balu Innovation 3rd Street". Hence, this case.

3. The learned counsel appearing for the petitioner submitted that the petitioner has been falsely implicated in this case. He further submitted that there is a civil suit pending in O.S.No.122 of 2025 on the file of the



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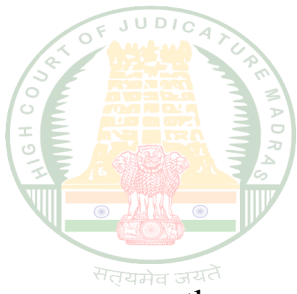
Principal District Munsif Court, Tiruppur regarding the subject property and the petitioner is ready to abide by any conditions that may be imposed by this Court and sought for anticipatory bail to the petitioner.

4. The learned Government Advocate (Crl. Side) appearing for the respondent police while opposing the anticipatory bail application of the petitioner, reiterated the prosecution case and on instruction submitted that the cost of damage to the water pipeline is estimated around Rs.3,000/- and the petitioner has no bad antecedents.

5. Heard the learned counsels and perused the materials available on record.

6. Considering the facts of the case, submissions made by the learned counsel appearing on either sides and the fact that the petitioner has no previous antecedents, this Court is inclined to grant anticipatory bail to the petitioner with certain conditions.

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



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the event of arrest or on his appearance, **on or before 02.09.2025** before the learned **Judicial Magistrate Court-III, Tiruppur** 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 learned Magistrate concerned and on further condition that:

[a] **the petitioner shall deposit a sum of Rs.5,000/- (Rupees Five Thousand Only) to the credit of Crime No.428 of 2025 on the file of the learned Judicial Magistrate -III, Tiruppur on or before 02.09.2025;**

[b] **if the petitioner fails to surrender before the concerned Magistrate on or before 02.09.2025, this Order shall stand automatically cancelled;**

[c] **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 the identity proofs to ensure their identity;**

[d] **the petitioner shall report before the respondent police as and when required for interrogation;**



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[e] On breach of any of the aforementioned conditions, the learned Magistrate/Trial Court is entitled to pass appropriate orders against the petitioner in accordance with law as if the aforementioned 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)13 SCC 283];

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

21.08.2025

stn

To

1. The Judicial Magistrate -III,
Tiruppur.
2. The Inspector of Police,
Anupparpalayam Police Station,
Tiruppur District.
(Crime No.428 of 2025).

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Dr. G. JAYACHANDRAN, J.,

stn

3. The Public Prosecutor,
High Court of Madras.

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