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Crl.OP.No.24197 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 03.09.2025

CORAM

THE HON'BLE DR.JUSTICE G.JAYACHANDRAN

Crl.O.P.No.24197 of 2025

M.K.Balasubramaniam

... Petitioner

Vs.

State rep by
The Inspector of Police,
Madathukulam Police Station,
Thiruppur District.
(Cr.No.156 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 Cr.No.156 of 2025 on the file respondent police.

For Petitioner : Mr.D.Ilayaraja

For Respondent : Mr.S.Udayakumar,
Government Advocate (Crl.Side)

ORDER

The petitioner herein apprehends arrest at the hands of the respondent police for the offences punishable under Sections 296(b), 115(2), 351(2) of BNS r/w Section 4 of TNPHW Act in Crime No.156 of 2025, on the file of



the respondent Police, seeks anticipatory bail.

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2. The case of the prosecution is that there was a dispute between neighboring land owners regarding the fencing of land, has led to physical exchange of blow. Hence, the case.

3. The learned counsel appearing for the petitioner submitted that the petitioner is an innocent person and he has not committed any such offence as alleged by the prosecution. He further submitted that the petitioner is ready to abide by any stringent condition that may be imposed by this Court. Hence, he prayed for grant of bail to the petitioner.

4. The learned Government Advocate (Criminal Side) appearing for the respondent police reiterated the prosecution case and submitted that the injured defacto complainant has discharged from the hospital after treatment. However, he opposed for grant of anticipatory bail to the petitioner.

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



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6. Considering the nature of the complaint and the injured discharged from the hospital, 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 the event of arrest or on his appearance, **on or before 19.09.2025**, before the learned ***Judicial Magistrate, Madathukulam*** on condition that each of the petitioners shall execute separate bonds 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, failing which, the petition for anticipatory bail shall stand dismissed and on further condition that

[a] if the petitioner fail to surrender before the concerned Magistrate on or before 19.09.2025, 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



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obtain a copy of any one of the identity proofs to ensure their identity;

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

[d] 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]**;

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

03.09.2025

Vv

To

- 1.The Judicial Magistrate,
Madathukulam.
2. The Inspector of Police,
Madathukulam Police Station,

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Thiruppur District.

3. The Public Prosecutor,
High Court of Madras.

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Dr.G.JAYACHANDRAN, J.

Vv



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