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Crl.OP.No.24848 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: **11.09.2025**

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THE HONOURABLE **MRS. JUSTICE T.V.THAMILSELVI**

CRL.O.P.No.24848 of 2025

1. Mahesh Balakrishnan
2. Balakrishnan ... Petitioners

-VS-

The State represented by
The Inspector of Police,
E8, Kelambakkam Police Station,
Chengalpatu 603 103.
(Crime No.290 of 2025) ... Respondent

Prayer:- Criminal Original Petition filed under Section 484 of BNSS Act, 2023, to enlarge the petitioners on bail in the event of their arrest in Crime No.290 of 2025 on the file of the Inspector of Police, E-8, Kelambakkam Police Station.

For Petitioners : Ms.Sumathi Kasturi
For Respondent : Mr.S.Udayakumar,
Government Advocate (Crl. Side)
For Intervenor : Mr.M.Asokaa



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ORDER

The petitioners, apprehended arrest for the alleged offence under Sections 354D, 509, 498A, 448, 506(2) of IPC Act / Sections 78, 79, 85, 329(4), 351 of BNS Act, in Crime No.290 of 2025 on the file of the respondent police, seeks anticipatory bail.

2. The case of prosecution is that the respondent police has repeatedly visited the house of the petitioners and without serving notice is compelling the petitioners to appear before them in a case registered on the basis of the complaint lodged by the wife of the first petitioner and they did not give the details of the case registered and the content of the FIR alleged to have been registered against the petitioner. Hence this case.

3. The learned counsel appearing for petitioners submitted that the petitioners have not committed any offence as alleged by the prosecution and they have been falsely implicated in this case. Hence, he prays for grant of anticipatory bail.

4. The learned Government Advocate (Crl. Side) appearing for respondent would submit that there was some family dispute between the first petitioner and the defacto complainant and the childrens are under the



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custody of the defacto complainant. He fixed the CCTV camera in the hall where the defacto complainant was residing and the divorce case is pending in H.M.O.P.No.3869 of 2025 on the file of the Family Court, Chennai. However, he vehemently opposed to grant anticipatory bail to the petitioners.

5. Considering the facts and circumstances, now CCTV camera also removed, this Court is inclined to grant anticipatory bail to the petitioners with certain conditions.

6. Accordingly, the petitioners are ordered to be released on bail in the event of arrest or on their appearance, within a period of fifteen (15) days from the date of receipt of a copy of this order before the *learned Judicial Magistrate, Thiruporur*, on condition that the petitioners 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



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ensure their identity;

(b) the petitioners shall report before the respondent police as and when required for interrogation;

(c) the petitioners shall not tamper with evidence or witness either during investigation or trial;

(d) the petitioners shall not abscond either during investigation or trial;

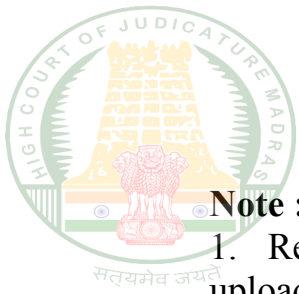
(e) on breach of any of the aforesaid conditions, the learned Magistrate/ Trial Court is entitled to take appropriate action against the petitioners in accordance with law as if the conditions have been imposed and the petitioners released on bail by the learned Magistrate/Trial Court himself as laid down by the Hon'ble Supreme Court in ***P.K.Shaji Vs. State of Kerala [(2005) AIR SCW 5560]***; and;

(f) if the accused thereafter absconds, a fresh FIR can be registered under Section 269 of B.N.S.

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Note :

1. Registry is directed to forthwith upload this order in the Official Website of this Court.
2. All concerned to act on this order being uploaded in Official Website of this Court without insisting on certified hard copies. To be noted, this order when uploaded in the official website of this Court will be watermarked and will also have a QR code.

Issue Order Copy on 12.09.2025

To

- 1.The Judicial Magistrate, Thiruporur.
- 2.The Inspector of Police,
E8, Kelambakkam Police Station,
Chengalpatu 603 103.
- 3.The Public Prosecutor,
High Court, Madras.



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T.V.THAMILSELVI, J.

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