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Crl.OP.No. 26207 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS
DATED: 23-09-2025

CORAM

THE HONOURABLE MR.JUSTICE K.RAJASEKAR

CRL OP NO. 26207 of 2025

C.Balaji

Petitioner

Vs

The State rep. by
The Inspector of Police
W-29, Avadi All Women Police Station
Avadi, Thiruvallur Police Station
Crime No. 31 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. 31 of 2025 on the file of respondent police.

For Petitioner : Mr.R.Ganesh Babu
For Respondent : Mr.S.Udayakumar
Government Advocate (Criminal Side)

ORDER

The petitioner, who apprehends arrest at the hands of the respondent
police for the offences punishable under Section 75 of JJ Act, in Crime
No.31 of 2025 on the file of the respondent Police, seeks anticipatory bail.

2.The allegation against the petitioner is that the de-facto complainant



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and his wife viz., Geetha-A2 were living separately. The de-facto complainant having two children and the victim is the minor boy, who is aged about 14 years. The petitioner and the wife of the de-facto complainant having illegal intimacy with each other. The petitioner went to the house of A2 and started to commit cruelty against the victim minor boy and the petitioner had assaulted the victim minor boy with iron rod and he sustained severe injuries. Hence, the father of the victim minor boy lodged a complaint against the petitioner.

3.The learned counsel for the petitioner submits that the de-facto complainant and his wife were living separately from 2020. He further submits that the petitioner and the wife of the de-facto complainant are having friendly relationship. He further submits that no one was injured and a false has been registered against the petitioner. He further submits that already there was some civil dispute between the petitioner and the de-facto complainant and the petitioner has filed a suit in O.S.No.80 of 2021 against the de-facto complainant in respect of “tenancy” before the Additional District Munsif Court, Thiruvallur District. He further submits that the petitioner is ready to abide by any condition that may be imposed by this



Court and ready to furnish sufficient solvent sureties for his release. Hence, he prays for grant of anticipatory bail to the petitioner.

4.The learned Government Advocate (Criminal side) for the respondent police, reiterated the prosecution case and submits that based on the complaint lodged by the de-facto complainant, an FIR was registered against the petitioner. He further submits that the statement of the victim minor boy was not recorded and the investigation has not been completed. However, he opposed for grant of anticipatory bail to the petitioner.

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

6.Considering the nature of allegations, the civil suit is pending between the petitioner and the de-facto complainant and considering the fact that the investigation is not yet completed, this Court is inclined to grant anticipatory bail to the petitioner with certain conditions. 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



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copy made ready, before the learned **Judicial Magistrate, Ambathur**, 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) If the petitioner fails to surrender before the concerned Magistrate, within a period of fifteen days from the date of receipt of a copy of this order, 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 obtain a copy of any one of the identity proofs to ensure their identity;

[c] the petitioner shall report before the respondent Police daily at 10.30 a.m for a period of two weeks and thereafter, 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



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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.

23.09.2025

MSM

To

1.The Judicial Magistrate, Ambathur.

2.The Inspector of Police

W-29, Avadi All Women Police Station

Avadi, Thiruvallur Police Station

Crime No. 31 of 2025.

3. The Public Prosecutor, High Court of Madras.



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K.RAJASEKAR, J.

MSM

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