



.IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 30-12-2025

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THE HONOURABLE MR.JUSTICE P. DHANABAL

CRL OP No. 35628 of 2025

1. Balaji @ Balaji Rao

Petitioner(s)

Vs

1. State Rep.by, The Inspector of
Police,
Alangayam Police Station, Tirupattur
District. Cr.No.166/2025.

Respondent(s)

PRAYER

To enlarge the petitioners on bail in the event of his arrest in Cr.No.166/2025 pending investigation on the file of the Respondent.

For Petitioner(s): Mr. E Kannadasan

For Respondent(s): Mr. S. Udaya Kumar
Govt. Advocate (Crl. Side)

ORDER

The petitioner / Accused, who apprehends arrest in the hands of the respondent police for the offences punishable under Sections 296(b), 115 (2), 118 (1), 351 (2) of BNS in connection with the case in Crime No.166 of 2025, seeks anticipatory bail.



2. The case of the prosecution is that on 10.12.2025 at about 04.00 p.m., the petitioner had tied his cattle on the field of the defacto complainant, and when the defacto complainant questioned the petitioner regarding the same, the petitioner attacked the defacto complainant with stone and coconut leaf on his head and the defacto complainant sustained injury and his wife rescued him and she was also scolded by the petitioner by using filthy language; that the defacto complainant was taken to the Government Hospital, Vaniyambodi through 108 ambulance and hence, the case was registered against the petitioner.

3. Learned counsel for the petitioner would contend that the petitioner is innocent; that he has been falsely implicated in this case and that the custodial interrogation is not required in this case and hence prayed to grant anticipatory bail to the petitioner.

4. The learned Government Advocate (Criminal Side) would submit that the petitioner attacked the defacto complainant with stones and used filthy language against the defacto complainant and his wife arising out of a land dispute; that the injured was hospitalized and is now discharged after treatment and no previous cases are pending against the petitioner and the offences are grave in nature, hence, prayed to dismiss the petition.



5. Heard the learned counsel for the petitioner and the learned Government Advocate (Crl.Side) for the respondent police and perused the materials available on record.

6. Considering the nature of allegations, the land dispute between the parties and the injured was discharged from the hospital; and that no previous cases are pending against the petitioner and since the custodial interrogation of the petitioner is not required for the purpose of investigation, this Court is inclined to grant anticipatory bail to the petitioner on certain conditions.

7. 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 of receipt of a copy of this order, before the learned **Judicial Magistrate III, Tirupattur** on condition that the petitioners shall execute a bond for a sum of **Rs.10,000/- (Rupees Ten Thousand only)**, with two sureties 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, failing which, the petition for anticipatory bail shall stand dismissed and on further conditions that:

[a] the petitioner and 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 ensure their identity.

[b] the petitioner shall report before the respondent police every Saturday at 10.30 a.m., for a period of four weeks;

[c] the petitioner shall not tamper with evidence or witness either during investigation or trial.

[d] the petitioner 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 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].

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

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Index:Yes/No
Speaking/Non-speaking order
Internet:Yes
Neutral Citation:Yes/No
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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 official website of this Court will be watermarked and will also have a QR code.

To

1.State Rep.by, The Inspector of Police,
Alangayam Police Station, Tirupattur
District. Cr.No.166/2025.

2.The Public Prosecutor, Madras High
Court, Chennai.

3. The Judicial Magistrate III,
Tirupattur.



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Today the matter is listed under the caption “for being mentioned” at the instance of the learned counsel for the petitioner on the ground that Section 4 of Tamil Nadu Prohibition of Harassment of Women Act, 2002 has been omitted in the order, dated 30.12.2025.

2. The learned counsel for the petitioner and the learned Government Advocate appearing for the respondent are present.

3. This Court has granted Anticipatory bail to the petitioner vide order of this Court, dated 30.12.2025 in Crl.O.P.No.35628 of 2025. On perusal of the FIR shows that the petitioner has been charged for the alleged offences under Sections 296(b), 115(2), 118(1), 351(2) of BNS, 2023 and section 4 of Tamil Nadu Prohibition of Harassment of Women Act, 2002. However, in the Order dated 30.12.2025, Section 4 of Tamil Nadu Prohibition of Harassment of Women Act, 2002 has been omitted.

4. Since the above error is typographical in nature, the Registry is directed to incorporate Section 4 of Tamil Nadu Prohibition of Harassment of Women Act, 2002 wherever required in the order dated 30.12.2025 and issue fresh order copy. Except the above, all other aspects in the order dated 30.12.2025, shall remain intact.

20.01.2026

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