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CRL.O.P.No.35689 of 2025
IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 30.12.2025

CORAM

THE HONOURABLE MR.JUSTICE P. DHANABAL

CRL OP.No.35689 of 2025

Balan @ Balasubramaniyan

... Petitioner

Vs.

The State represented by its,
The Inspector of Police,
Ammamet Police Station,
Salem City.
[Crime No.495 of 2025]

... Respondent

PRAYER: Criminal Original Petition filed under 482 of BNSS Act, 2023 to enlarge the petitioner on bail in the event of arrest by the respondent police in Crime No.495 of 2025 on the file of the respondent Police.

For Petitioner : Mr.J.Franklin

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

ORDER

The petitioner / Accused No.2 apprehends arrest for the alleged offence punishable under Sections 296(b), 351(2) of BNS, 2023 and Section 3(2)(a), 4(2)(c), 5(1)(a) of Immoral Traffic Prevention Act, in Crime No.495 of 2025 on the file of the respondent police, seeks anticipatory bail.



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2. The case of the prosecution is that on 26.09.2025 at about

11.00 a.m., it is alleged that A1 contacted the *de facto complainant* over the phone and informed him that he was involved in immoral activities along with the petitioner and induced him to engage in physical relationship with a woman under him and the petitioner. When the *de facto complainant* informed them that he did not have money, the accused persons abused him in filthy language and threatened him with dire consequences. Hence, the complaint.

3. The learned counsel appearing for the petitioner would submit that the petitioner is an innocent person and he has not committed any offence as alleged and he had been falsely implicated in this case. He further submitted that A1 was arrested and released on bail and the petitioner is ready and willing to furnish substantial sureties for his due release and abide by any condition that may be imposed by this Court and therefore, he prayed to grant anticipatory bail to the petitioner.

4. The learned Government Advocate (Criminal Side) appearing for the the respondent police submitted that the petitioner along with A1 was involved in immoral activities, which led to a dispute between the parties and as a result, the accused persons abused the



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defacto complainant in filthy language and threatened him dire consequences and that one previous case is pending as against the petitioner and further, considering the gravity of offence, he opposed to grant anticipatory bail to the petitioner.

5. Considering the representations made by both sides and considering the nature of the offence and that though the petitioner has one previous cases, he was granted bail in the case and also taking into consideration of the fact that A1 was arrested and released on bail, this Court is inclined to grant **anticipatory bail** to the petitioner with certain conditions.

6. Accordingly, the petitioner is ordered to be released on bail in the event of arrest or on his appearance, within a period of fifteen (15) days from the date of receipt of a copy of this order before the ***Additional Judicial Mahila Magistrate, Salem*** 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 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 petitioner shall report before the respondent**



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police on daily at 10.30 a.m. for a period of thirty days;

[b] the petitioner shall not, directly or indirectly, make any inducement, threat or promise to any person acquainted with the facts of the case so as to dissuade then from disclosing such facts of the Court or to any police officer.

[c] the petitioner shall not leave India without the previous permission of the Court.

[d] the petitioner shall not abscond either during investigation or trial.

[e] the petitioner shall make herself available for interrogation by a police officer as and when required.

[f] 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]***.

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

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mac/ssn



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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.

To

1. The Additional Judicial Mahila Magistrate, Salem
2. The Inspector of Police,
Ammapet Police Station,
Salem City.
3. The Public Prosecutor, High Court of Madras.



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P.DHANABAL,J.

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