



CRL OP(MD). No.1122 of 2025

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 23.01.2025

PRESENT

The Hon`ble Mr.Justice N.ANAND VENKATESH

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Balu

... Petitioner/Sole Accused

Vs

The State of Tamil Nadu
Represented by the Inspector of Police,
Thuvarankurichi Police Station,
Trichy District.
(Crime No.3 of 2025)

... Respondent / Complainant

For Petitioner : Mr.K.Rajeshwaran,
Advocate

For Respondent : Mr.A.Albert James,
Government Advocate
(Criminal Side)

For Intervener : Mr.Karthick, Advocate

PETITION FOR ANTICIPATORY BAIL Under Sec.482 of BNSS Act.



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PRAYER :-
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For Anticipatory Bail in Crime No.3 of 2025 on the file of the respondent police.

ORDER : The Court made the following order :-

The petitioner, who apprehends arrest at the hands of the respondent police for the alleged offences under Sections 329(3), 296(b), 115(2), 118(1) and 351(2) of BNS read with Section 4 of the Tamil Nadu Prohibition of Harassment of Women Act 2002, in Crime No. 3 of 2025 on the file of the respondent police, seeks anticipatory bail.

2. The case of the prosecution is that there was a property dispute between the parties. The petitioner is said to have entered into the house of the defacto complainant and abused her in filthy language and attacked her and had threatened with dire consequences.

3. The learned counsel for the petitioner submitted that a civil dispute had been attempted to be given a criminal colour and that a false case has been foisted against the petitioner.



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4. The learned Government Advocate submitted that the injured has been discharged from the hospital and there is one previous case against the petitioner.

5. The learned counsel for the defacto complainant submitted that the property has already been conveyed to the husband of the defacto complainant and in turn, the property was conveyed to the defacto complainant and she is living along with her children. Her husband is working abroad. The learned counsel submitted that there is already a civil suit pending before the Court and in spite of the same, the petitioner is repeatedly causing threat to the defacto complainant.

6. Heard the learned counsel on either side and perused the material records of the case.

7. Taking into consideration the facts and circumstances of the case and considering the fact that there is a property dispute between the parties and taking note of the fact that the injured has already been discharged from the hospital and also the undertaking given by the petitioner that he will agitate the property dispute only before the civil Court and will not cause any threat to the defacto



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complainant and considering the fact that there is one previous case against the petitioner, this court is inclined to grant anticipatory bail to the petitioner with certain conditions:

8. 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 copy made ready, before the learned Judicial Magistrate, Manapparai, 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, failing which, the petition for anticipatory bail shall stand dismissed and on further condition 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 on every Friday at 5.30 p.m. for a period of four weeks and as and when required for interrogation.



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[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 of BNS, 2023.

sd/-
23/01/2025

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/02/2025

Sub-Assistant Registrar (CS-I/II/III/IV)
Madurai Bench of Madras High Court,
Madurai - 625 023.

PKN
TO

1. THE JUDICIAL MAGISTRATE, MANAPPARAI.

2 DO THROUGH THE CHIEF JUDICIAL MAGISTRATE, TRICHY.

3. THE INSPECTOR OF POLICE,
THUVARANKURICHI POLICE STATION,
TRICHY DISTRICT.



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4. THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.

+1 CC to M/s.K.RAJESHWARAN, Advocate (SR-837[I] dated 24/01/2025)

ORDER
IN

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Date :23/01/2025

RK/SKN (31/01/2025) 6P / 6C

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