



CRL OP(MD). No.5856 of 2025

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 02.04.2025

PRESENT

THE HONOURABLE MR. JUSTICE R. SAKTHIVEL

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1.Balakrishnan
2.Ramu @ Ramar

... Petitioners/ Accused Nos.1 & 3

Vs

The State of Tamil Nadu,
Rep by the Inspector of Police,
Siruganur Police Station,
Trichy District.

Crime No.36 of 2025

... Respondent/ Complainant

For Petitioners : Mr.S.B.Kayvin Prince

For Respondent : Mr.K.Sanjai Gandhi,
Government Advocate (Crl.Side)

PETITION FOR ANTICIPATORY BAIL Under Sec.482 of BNSS, 2023

PRAYER :-

For Anticipatory Bail in Crime No.36 of 2025 on the file of the respondent-police.



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ORDER: The Court made the following order :-

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This Criminal Original Petition has been filed by the petitioners on 26.03.2025 under Section 482 of Bharatiya Nagarik Suraksha Sanhita (BNSS), 2023, praying to grant an order of pre-arrest bail.

2. The petitioners apprehend arrest at the hands of the respondent-police for the offences punishable under Sections 296(b), 115(1), 118(1) and 351(2) of Bharatiya Nyaya Sanhita (BNS), 2023 and Section 4 of Tamil Nadu Prohibition of Harassment of Women Act, 2002, in Crime No.36 of 2025 on the file of the respondent-police.

3. The case of the prosecution is that there has been a longstanding dispute between the defacto complainant's family and petitioners' family regarding land dispute. The defacto complainant's land and petitioners' land are adjacent to each other. The defacto complainant planted lemon trees in their field. The petitioners cut down grass and thorny weeds from their field and set them on fire along the edge in their field, causing the defacto complainant's lemon trees to wither due to the heat. On 03.03.2025, at about 06.00 p.m., when the defacto complainant's wife questioned the same, the petitioners and another accused person abused her. A3 attacked the defacto complainant's mother with sickle and caused injury and also hit the defacto complainant's father on his left hand. A3 also hit the defacto complainant's nose with a stick causing injury. A2 hit the defacto complainant's wife with a stick. The



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petitioners and another accused person threatened to do away with the defacto complainant's family that night. Hence, the case.

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4. Mr.S.B.Kayvin Prince, learned counsel appearing for the petitioners submits that the petitioners did not commit any offence as alleged by the prosecution and they have been falsely implicated in this case. He however submits that the petitioners are ready to abide by any conditions to be imposed by this Court. Hence, he prays for grant of pre-arrest bail to the petitioners.

5. Per contra, Mr.K.Sanjai Gandhi, learned Government Advocate (Crl.Side) appearing for the respondent-police, submits that there are four injured persons in this case and that they were admitted in the hospital on 03.03.2025 and discharged on 09.03.2025. He further submits that this Crime Number and Crime No.35 of 2025 are counter cases. However, he prays to dismiss this Criminal Original Petition.

6. Heard on both sides. This Court has perused the records including the present First Information Report and First Information Report in the counter case.

7. It appears that the defacto complainant and the petitioners are close relatives and they have some property dispute since they have properties adjacent to each other. In view of the nature of the offences allegedly committed by the petitioners and also considering the nature of offences allegedly committed by the defacto complainant against the petitioners in the counter case and with a view to give an



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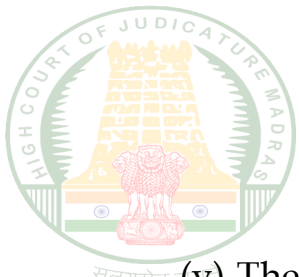
opportunity to the petitioners to reform themselves, this Court is inclined to grant an order of pre-arrest bail to the petitioners subject to the following conditions:

(i) The petitioners shall be released on bail in the event of their arrest or in the event of their surrender before the learned Judicial Magistrate, Lalgudi, Trichy District, within a period of 15 days from the date on which the order copy is made ready, on executing a bond for a sum of Rs.25,000/- (Rupees Twenty Five Thousand only) each along with two sureties each for a like sum of Rs.25,000/- (Rupees Twenty Five Thousand only) to the satisfaction of the learned Judicial Magistrate, Lalgudi, Trichy District;

(ii) The sureties shall affix their photographs and left thumb impression in the Application for Suretyship [Judicial Form No.46 annexed to 'The Criminal Rules of Practice, 2019']. The learned Judicial Magistrate shall obtain a copy of any one of identity proofs to ensure their identity;

(iii) The petitioners shall make themselves available for interrogation by a police officer as and when required;

(iv) The petitioners 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 him from disclosing such facts to the Court or to any police officer;



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Court;

(v) The petitioners shall not leave India without the previous permission of the

(vi) Thereafter, the petitioners shall appear and sign before the respondent-Police daily at 10.00 a.m. and 05.00 p.m. until further orders;

(vii) The petitioners shall furnish their residential address and mobile number to the learned Judicial Magistrate, Lalgudi, Trichy District;

(viii) The petitioners shall not enter into the defacto complainant's house or workplace;

(ix) The petitioners shall not try to contact the defacto complainant either directly or through any electronic mode;

(x) The petitioners shall not, directly or indirectly, cause any threat to the defacto complainant and witnesses and shall not tamper the evidence; and

(xi) On breach of any of the aforementioned conditions, concerned Magistrate, or Trial Court as the case may be, is entitled to pass appropriate orders against the petitioners in accordance with law as if the aforementioned conditions are imposed by them as laid down by the Hon'ble Supreme Court in P.K. Shaji vs. State of Kerala [(2005) 13 SCC 283].



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8. Accordingly, this Criminal Original Petition is allowed subject to the conditions stated *supra*.

sd/-
02/04/2025

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/04/2025
Sub-Assistant Registrar
(C.S. I / II / III / IV)
Madurai Bench of Madras High Court,
Madurai - 625 023.

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TO

1.The Judicial Magistrate, Lalgudi, Trichy District

2. The Chief Judicial Magistrate, Trichy District.

3.The Inspector of Police,
Siruganur Police Station, Trichy District.

4.The Additional Public Prosecutor, Madurai Bench of Madras High Court, Madurai.

ORDER IN
CRL OP(MD) No.5856 of 2025
Date :02/04/2025

PP/SAR. /30.04.2025/6P/5C

Madurai Bench of Madras High Court is issuing certified copies in this format from 17/07/2023.