



CRL OP(MD). No.5956 of 2025

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT
(Criminal Jurisdiction)

Date : 01.04.2025

PRESENT

THE HONOURABLE MR. JUSTICE R. SAKTHIVEL

CRL OP(MD). No.5956 of 2025

P.Balasubramanian @ Agni Bala

... Petitioner/ A2

Vs

The State of Tamil Nadu,
Rep by the Inspector of Police,
Karaikudi North Police Station,
Karaikudi, Sivagangai District.
Crime No.381 of 2024

... Respondent/Complainant

For Petitioner : Mr.Niranjana S.Kumar

For Respondent : Mr.S.S.Manoj,
Government Advocate (Crl.Side)

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

PRAYER :-

For Anticipatory Bail in Crime No.381 of 2024 on the file of the respondent-police.

ORDER : The Court made the following order :-

This Criminal Original Petition has been filed by the petitioner on 27.03.2025 under Section 482 of Bharatiya Nagarik Suraksha Sanhita (BNSS), 2023, praying to



CRL OP(MD). No.5956 of 2025

grant an order of pre-arrest bail.

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2. The petitioner apprehends arrest at the hands of the respondent-police for the offences punishable under Sections 196(1)(a) and 353(2) of Bharatiya Nyaya Sanhita (BNS), 2023 in Crime No.381 of 2024 on the file of the respondent-police.

3. The case of the prosecution is that the defacto complainant - Sub-Inspector of Police, Karaikudi was assigned as Security Office on occasion of Vinayagar Chathurthi on 09.09.2024, at 100 feet road, where a function was organized by the petitioner / A2. In that function, A1 participated and spoke in a manner that would create riot between two religious groups. Hence, the case.

4. Mr.Niranjan S.Kumar, learned counsel appearing for the petitioner submits that the petitioner did not commit any offence as alleged by the prosecution and he has been falsely implicated in this case. He however submits that the petitioner is ready to abide by any conditions to be imposed by this Court. Hence, he prays for grant of pre-arrest bail to the petitioner.

5. Per contra, Mr.S.S.Manoj, learned Government Advocate (Crl.Side) appearing for the respondent-police, submits that A1 has already been arrested and released on bail. He further submits that the petitioner has 21 previous cases. Therefore, he prays to dismiss this Criminal Original Petition.



CRL OP(MD). No.5956 of 2025

6. Heard on both sides. This Court has perused the records.

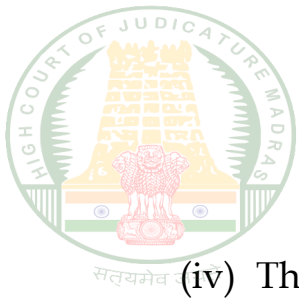
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7. Considering the nature of the offences alleged against the petitioner and taking note of the fact that the petitioner is merely an organizer of the function and with a view to give one more opportunity to the petitioner to reform himself, this Court is inclined to grant an order of pre-arrest bail to the petitioner subject to the following conditions:

(i) The petitioner shall be released on bail in the event of his arrest or in the event of his surrender before the learned Judicial Magistrate No.I, Karaikudi, 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.10,000/- (Rupees Ten Thousand only) along with two sureties each for a like sum of Rs.10,000/- (Rupees Ten Thousand only) to the satisfaction of the learned Judicial Magistrate No.I, Karaikudi;

(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 petitioner shall make himself available for interrogation by a police officer as and when required;



CRL OP(MD). No.5956 of 2025

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

(v) The petitioner shall not leave India without the previous permission of the Court;

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

(vii) The petitioner shall furnish his residential address and mobile number to the learned Judicial Magistrate No.I, Karaikudi;

(viii) The petitioner shall not, directly or indirectly, cause any threat to witnesses and shall not tamper the evidence; and

(ix) 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 petitioner 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].



CRL OP(MD). No.5956 of 2025

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

sd/-
01/04/2025

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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 NO.I,
KARAIKUDI.
- 2 THE CHIEF JUDICIAL MAGISTRATE
SIVAGANGAI DISTRICT.
- 3.The Inspector of Police,
Karaikudi North Police Station,
Karaikudi, Sivagangai District.
- 4.The Additional Public Prosecutor,
Madurai Bench of Madras High Court, Madurai.

ORDER
IN
CRL OP(MD) No.5956 of 2025
Date :01/04/2025

MK/SAR /29.04.2025 5P/5C

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