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Crl.O.P.No.10685 of 2026

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 07.05.2026

CORAM

THE HONOURABLE MRS.JUSTICE L.VICTORIA GOWRI

CRL.O.P.No.10685 of 2026

M.Balakrishnan

... Petitioner

Versus

The State rep by,
The Inspector of Police,
Madathukulam Police Station,
Tiruppur District.
(Crime No.42 of 2026)

.. Respondent

Prayer:- Criminal Original Petition filed under Section 482 of BNSS Act, to enlarge the petitioner on anticipatory bail in the event of his arrest by the respondent police pending investigation in Crime No.42 of 2026 on the file of the respondent police.

For Petitioner : Mr.A.M.Natraj

For Respondent : Mr.A.Gopinath
Government Advocate (Crl. Side)



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ORDER

The petitioner, apprehends arrest for the alleged offences under Sections 305(e), 324(3), 296(b) and 315(3) of BNS, in Crime No.42 of 2026, on the file of the respondent police, seeks anticipatory bail.

2. The case of the prosecution is that the petitioner along with other accused were involved in the illegal diversion and obstruction of irrigation water in the PAP Canal system by damaging the sluices. Hence, the complaint.

3. The learned counsel appearing for the petitioner submits that the petitioner is an innocent person and he has not committed any such offence as alleged by the prosecution. He would also submit that he has been falsely implicated in this case. However, on instructions, the learned counsel further submits that the petitioner is ready and willing to abide by any conditions that may be imposed by this Court and hence, he prays to grant anticipatory bail to the petitioner.

4. The learned Government Advocate (Criminal Side) appearing for the respondent police submitted that the petitioner were found in illegal transportation of savudu sand. Hence, he opposed for grant of anticipatory bail to the petitioner.

5. Heard both sides and perused the materials available on record.



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6. Considering the voluntary submission made by the learned counsel for the petitioner, the petitioner is directed to deposit a sum of **Rs.2,500/- (Rupees Two Thousand Five Hundred only) (Non refundable)** towards the account of **CANCER INSTITUTE (WIA), Adayar, Savings Bank Account maintained at Andhra Bank, Madhya Kailash Branch, Cancer Institute(WIA), Dr.S.Krishnamurthi Campus, Sardar Patel Road, Chennai-36, bearing SB Account No.149710011005477, IFS Code No.ANDB0001497, Branch Name and Code 1497, MICR No.600011049** and to produce the Bank Challan before the *Judicial Magistrate, Madathukulam, Tiruppur* and the receipt shall be produced at the time of executing the bond;

7. Taking note of the facts and circumstances of the case, nature of allegations, submissions made by the learned counsels on either side, 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 their appearance, within a period of fifteen (15) days from the date of receipt of a copy of this order, before the *Judicial Magistrate, Madathukulam, Tiruppur* 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

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to arrest or to the satisfaction of the learned Magistrate concerned and on further condition that:

[a] 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, everyday at 10.30 a.m., for a period of one month and thereafter, as and when required for further interrogation;

[c] the petitioner shall not abscond either during investigation or trial;

[d] the petitioner shall not tamper with evidence or witness 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 B.N.S.

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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 the official website of this

Court will be watermarked and will also have a QR code.

To

1. Judicial Magistrate, Madathukulam, Tiruppur.
2. The Inspector of Police,
Madathukulam Police Station,
Tiruppur District.
3. The Public Prosecutor,
High Court of Madras.



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L.VICTORIA GOWRI, J.

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