



CRL OP(MD). No.191 of 2026

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

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Dated : 09/01/2026

CORAM

THE HONOURABLE MRS. JUSTICE S.SRIMATHY

CRL OP(MD). No.191 of 2026

1. Balakandan

2. Subramani @ Sivasubramaniayn

... Petitioners

Vs

State of Tamilnadu
Rep by Inspector of Police,
Devakottai Taluk Police Station,
Sivagangai District.
(Crime No.371/2025).

... Respondent

PRAYER :-

For Anticipatory Bail in Crime No.371/2025 on the file of the
respondent Police.

For Petitioners : Mr.D.Venkatesh,
Advocate

For Respondent : Mr.A.S.Abul Kalaam Azad,
Government Advocate (Crl.Side)



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ORDER

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The petitioners/A1 and A2, who apprehend arrest at the hands of the respondent police for the offences punishable under Sections 191(2), 191(3), 296(b), 115(2), 118(1) and 351(3) of BNS, 2023 and Section 4 of the Tamil Nadu Prohibition of Harassment of Women Act, in Crime No.371 of 2025 on the file of the respondent police, seek anticipatory bail.

2.The case of the prosecution is that due to the previous dispute, the petitioners abused the defacto complainant in filthy language, assaulted her and also threatened her with dire consequences. Hence, the complaint.

3. The learned counsel for the petitioners submitted that the petitioners are innocent persons and have not committed any offences as alleged by the prosecution, and they have been falsely implicated in this case. He further submitted that the petitioners are ready and willing to abide by any conditions which may be imposed by this Court. Hence, he seeks anticipatory bail for the petitioners.



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4. The learned Government Advocate (Criminal Side) for the respondent submitted that the injured has been discharged from the hospital and the petitioners have no previous case. He further submitted that it is a case and case in counter and that the investigation is yet to be completed. Hence, he opposed for grant of anticipatory bail to the petitioners.

5. Considering the facts and circumstances of the case and also the fact that the injured has been discharged from the hospital, this Court is inclined to grant anticipatory bail to the petitioners, subject to certain conditions.

6. Accordingly, the petitioners are ordered to be released on bail in the event of arrest or on their appearance, on condition that the petitioners shall execute a bond for a sum of Rs.10,000/- (Rupees Ten Thousand only) each, with two sureties each for a like sum to the satisfaction of the learned Judicial Magistrate, Devakottai, within a period of fifteen days from the date of receipt of a copy of this order and on further conditions that:



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[a] the petitioners and the sureties shall affix their photographs and left thumb impression in the surety bond and the Magistrate may obtain a copy of their Aadhaar card or bank pass book to ensure their identity;

[b] the petitioners shall report before the respondent police daily at 10.30 a.m. for a period of one week and thereafter, as and when required;

[c] the petitioners shall not tamper with the evidence or witness either during investigation or trial;

[d] the petitioners 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 petitioners in accordance with law as if the conditions have been imposed and the petitioners are 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]; and



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[f] if the accused thereafter absconds, a fresh FIR
can be registered under Section 269 of BNS.

09.01.2026

CP

TO

- 1.The Judicial Magistrate,
Devakottai.
- 2.The Inspector of Police,
Devakottai Taluk Police Station,
Sivagangai District.
- 3.The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.



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S.SRIMATHY,J

CP

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