



CRL OP(MD). No.5415 of 2026

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 16.03.2026

PRESENT

THE HONOURABLE MR.JUSTICE K.K.RAMAKRISHNAN

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1.Balakrishnan
2.Duraisamy

... Petitioners / A1 and A2

Versus

The State of Tamilnadu,
Rep by the Inspector of Police,
Puthanatham Police Station,
Trichy District.
(Crime No.54 of 2026)

... Respondent / Complainant

PRAYER :-Criminal Original Petition filed under Section 482 of the BNSS, 2023, to enlarge the petitioners on bail in the event of arrest in Crime No.54 of 2026 on the file of the respondent police or on their appearance.

For Petitioners : Mr.M.Pitchai Muthu

For Respondent : Mr.M.Karunanithi,
Government Advocate
(Criminal Side)



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ORDER : The Court made the following order :-

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The petitioners/accused, who apprehend arrest at the hands of the respondent police in Crime No.54 of 2026 for the offences punishable under Sections 296(b), 115(2) and 351(2) of the Bharatiya Nyaya Sanhita, 2023, r/w Section 4 of the Tamil Nadu Prohibition of Harassment of Women (Amendment) Act, 2002, seek anticipatory bail.

2. The case of the prosecution is that on 05.03.2026, a dispute arose between the petitioners and the defacto complainant in connection with a pathway dispute, which led to a wordy altercation. As a result, the petitioners are alleged to have abused the defacto complainant in filthy language and physically assaulted him. Thereafter, the injured was admitted to the hospital and treated as an outpatient. Accordingly, a case was registered against the petitioners for the aforesaid offences.

3. The learned counsel appearing for the petitioners submitted that the petitioners are innocent persons and have not committed any offence as alleged by the prosecution. He further submitted that the petitioners are willing to abide by any conditions that may be imposed by this Court.



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Accordingly, he prayed for the grant of anticipatory bail to the petitioners.

4. The learned Government Advocate (Criminal Side) appearing for the respondent police submitted that the injured was treated as an outpatient. However, he objected to the grant of anticipatory bail to the petitioners.

5. This Court heard the learned counsel on either side and perused the materials placed on record.

6. Considering the facts and circumstances of the case, and in view of the fact that the injured was treated as an outpatient, and also taking note of the manner in which the occurrence took place, this Court is inclined to grant anticipatory bail to the petitioners, subject to certain conditions.

7. Accordingly, this petition is allowed and the petitioners are ordered to be released on bail in the event of arrest or their appearance,



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within a period of fifteen days from the date on which the order made ready, before the learned Judicial Magistrate Court, Manapparai, Trichy District, 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 respondent Police or to the Police Officer, who intends to arrest or to the satisfaction of the learned Magistrate concerned and on further conditions that:

(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 Aadhar card or Bank pass Book to ensure their identity;

(b) the petitioners shall appear and sign before the respondent police daily at 10.30 a.m. for a period of fifteen (15) days and thereafter, as and when required for interrogation. They have to co-operate for the investigation;

(c) the petitioners shall not tamper with 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



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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 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

(f) if the accused thereafter abscond, a fresh FIR can be registered under Section 269 of BNS, 2023.

16.03.2026

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To

- 1.The Judicial Magistrate Court,
Manapparai,
Trichy District.
- 2.The Inspector of Police,
Puthanatham Police Station,
Trichy District.
- 3.The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.



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K.K.RAMAKRISHNAN,J.

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