



Crl.O.P.No.13229 of 2023

IN THE HIGH COURT OF JUDICATURE AT MADRAS

Dated : 21.06.2023

CORAM:

**THE HON'BLE MR. JUSTICE A.D.JAGADISH CHANDIRA**

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Bhuvaneshwararam

... Petitioner

/versus/

State rep by  
Inspector of Police,  
Keelaiyur Police Station,  
Nagapattinam District.  
Respondent.  
(Crime No.121 of 2023)

...

**Prayer:** Criminal Original Petition is filed under Section 439 of Criminal Procedure Code, praying to enlarge the petitioner on bail in Cr.No.121 of 2023 pending on the file of the Inspector of Police, Keelaiyur Police Station, Nagapattinam District.

For petitioner : M/s.Palaninathan

For Respondent : Mr.C.E.Pratap,  
Government Advocate (Crl.Side)

**ORDER**

The petitioner, who was arrested and remanded to judicial



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custody on 26.05.2023, in connection with Crime No.121 of 2023 registered under Sections 294(b), 353, 298 of IPC and under Section 67 of Information Technology Act, 2000 and Under Section 4 of Tamil Nadu Prohibition of Harassment of Women Act, 1998 on the file of the respondent Police, seeks bail.

2. The case of the prosecution as per the de-facto complainant one Dr. Janneth Firdhouse is that she is working as a Doctor in a Government Primary Health Centre (PHC), Thirupoondi. On 24.05.2023, while she was on duty, two persons came there along with a patient for treatment. At that time, the defacto complainant and the nurse were examining the patient, the accused abused her and also misbehaved with her and criticizing the dress she was wearing as a Muslim lady. Hence, the complaint.

3. The learned counsel appearing for the petitioner submitted that the petitioner is an innocent and a false complaint has been given. He would further submit that the petitioner along with his friends who is having breathing problem. Since the Doctor was not available there and she came late, the petitioner questioned the attitude of the Doctor and there was a quarrel, during such time, she has given a false complaint and



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he would the petitioner was arrested on 26.05.2023 and the next day, the patient also passed away. Hence, he prayed for grant of bail to the petitioner.

4. The learned Government Advocate (crl.side) appearing for the respondent Police submitted that the petitioner had commented upon the Doctor who was wearing hijab and also abused her. Hence, he opposed for grant of bail to the petitioner.

5. Heard the learned Counsel for the petitioner and the learned Government Advocate (crl.side) and perused the materials available on record including an FIR.

6. Taking into consideration the facts and circumstances of the case, the submissions made by the learned counsel on either side and the period of incarceration undergone by the petitioner, this Court is inclined to grant bail to the petitioner with certain conditions.

7. Accordingly, the petitioner is ordered to be released on bail on his executing 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 **learned Judicial Magistrate, Kilvelur** and on further conditions that:



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[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 stay at Chennai and report before the Inspector of Police, K-4 Anna Nagar Police Station, Chennai every day at 10.30 a.m., until further orders;**

[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



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down by the Hon'ble Supreme Court in ***P.K.Shaji vs. State of Kerala [(2005)AIR SCW 5560]***;

[f] If the accused thereafter abscond, a fresh FIR can be registered under Section 229A IPC.

Vv

21.06.2023

To

1.The **Judicial Magistrate, Kilvelur**

2.The Inspector of Police,  
Keelaiyur Police Station,  
Nagapattinam District.

3.The Sub Jail,  
Nagapattinam.

4.The Public Prosecutor,  
High Court, Madras.



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**A.D.JAGADISH CHANDIRA,J.**

Vv

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