



CRL OP(MD). No.18512 of 2024

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 28.10.2024

PRESENT

The Hon`ble Mr.Justice D.BHARATHA CHAKRAVARTHY

CRL OP(MD). No.18512 of 2024

S.Gurusamy

... Petitioner/Sole Accused

Vs

The Inspector of Police,
Elayirampennai Police Station,
Virudhunagar District.
Crime No.125/2024.

... Respondent/Complainant

For Petitioner : Mr.K.Dinesh
Advocate.

For Respondent : Mr.R.M.Anbunithi,
Additional Public Prosecutor

For Intervenor : M/s.Banu Prasath, Advocate

PETITION FOR BAIL Under Sec.483 of BNSS

PRAYER :- For Bail in Crime No.125/2024 on the file of the respondent police

ORDER : The Court made the following order :-

The petitioner/Accused, who is arrested and remanded to judicial custody on
01.10.2024 for the offence punishable under Sections 64, 62 and 78 of BNS, in Crime

No.125 of 2024 on the file of the respondent police, seek bail.

<https://www.mhc.tn.gov.in/judis>



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2.The case of the prosecution is that the petitioner used to tease the de-facto complainant in a wrongful manner in working place. Hence, the complaint.

3.Heard the learned counsel on either side and perused the material records of the case.

4.Considering the nature of allegations in this case that the petitioner is relative to the prosecutrix and when he visited her house, he tried to physically exploit her in spite of the prosecutrix resisting the same and considering the fact that the petitioner has been making gestures every time when he is seeing the de-facto complainant and only considering the fact that the petitioner is imprisoned from 01.10.2024, I'm inclined to enlarge the petitioner on bail with certain conditions.

5.Accordingly, this Criminal Original Petition is allowed and the petitioner is ordered to be released on bail, on 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 Court No.1, Sattur.

(i)the sureties shall affix their photographs and left thumb impression in the surety bond and the Magistrate/concerned court may obtain a copy of their Aadhar card or Bank Pass Book to ensure their identity;

(ii) As undertaken, the petitioner shall not be permitted to work in the same place as that of the de- facto complainant, as the harassment according to the de-facto



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complainant, she shall continued in the workplace and also, the petitioner shall seek for alternative employment. The said fact shall also be overseen by the Investigating Officer not to expose the de-facto complainant to the petitioner;

(iii) the petitioner shall report before the respondent police daily at 06.30 p.m., for a period of two weeks and thereafter as and when required for interrogation;

(iv) the petitioner shall not tamper with evidence or witness;

(v) the petitioner shall not abscond during trial.

(vi) 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].

(vii) If the accused thereafter absconds, a fresh FIR can be registered under Section 229A IPC.

sd/-
28/10/2024

/ TRUE COPY /

28/10/2024
Sub-Assistant Registrar
(C.S. I / II / III / IV)
Madurai Bench of Madras High Court,
Madurai - 625 023.



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PAL

TO

1 THE JUDICIAL MAGISTRATE NO.1,
SATTUR.

2 DO THROUGH THE CHIEF JUDICIAL
MAGISTRATE, VIRUDHUNAGAR DISTRICT AT SRIVILLIPUTHUR.

3 THE OFFICER INCHARGE,
DISTRICT JAIL, VIRUDHUNAGAR.

4 THE INSPECTOR OF POLICE,
ELAYIRAMPANNAI POLICE STATION, VIRUDHUNAGAR DISTRICT.

5 THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.

+1 CC to M/s.K.DINESH, Advocate (SR-13296[I] dated 28/10/2024)

ORDER IN
CRL OP(MD) No.18512 of 2024
Date :28/10/2024

SA/SAR. /28.10.2024/4P/7C

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