



CRL OP(MD). No.21714 of 2024

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 10/12/2024

PRESENT

The HONOURABLE MR. JUSTICE N.ANAND VENKATESH

CRL OP(MD). No.21714 of 2024

Mula Udaiyar,

... Petitioner/Sole Accused

Vs

The State of Tamilnadu,
Rep. by Inspector of Police,
Devarkulam Police Station,
Tirunelveli District.
(Crime No.504/ 2024).

... Respondent/Complainant

For Petitioner : Mr.P.Veerapandi,
Advocate.

For Respondent : Mr.S.Ravi,
Additional Public Prosecutor

PETITIONS FOR BAIL Under Sec.483 of BNSS

PRAYER :-

For Bail in Crime No.504 of 2024 on the file of the respondent police.

ORDER : The Court made the following order :-

The petitioner / Sole Accused, who was arrested and remanded to judicial custody



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on 20.11.2024 for the offences under Sections 296(b), 351(2), 75(1)(i), 75(1)(ii) of BNS AND Section 4 of TNPHW Act in Crime No.504 of 2024 on the file of the respondent Police, seeks bail.

2. The case of the prosecution is that the petitioner is the uncle of the victim girl. The victim girl gave a complaint to the effect that the petitioner was continuously subjecting the victim girl to sexual harassment. In view of the same, the victim girl was forced to stop her studies and for her security, she married one Mahendraraj. Even after the marriage, it is stated that the petitioner was troubling the victim girl whenever he saw her.

3. The learned counsel appearing for the petitioner submitted that there is a family dispute and therefore, the victim girl gave a false complaint against the petitioner.

4. Heard the learned counsel appearing for the petitioner and the learned Additional Public Prosecutor appearing for the respondent Police.

5. Taking into consideration the facts and circumstances of the case and considering the manner in which this incident has been projected by the victim girl and now that the victim girl has married and living elsewhere and the petitioner has suffered incarceration from 20.11.2024, this Court is inclined to grant bail to the petitioner subject to the following conditions.



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6. Accordingly, the criminal original petition is ordered 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 No.3, Tirunelveli, Tirunelveli District and on further conditions 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 every Monday and Friday at 10.30 a.m. for a period of six weeks and thereafter, as and when required for interrogation.

[c] the petitioner shall not tamper with evidence or witness either during investigation or trial.

[d] the petitioner 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 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].



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[f] If the accused thereafter absconds, a fresh FIR can be registered under

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Section 269 of BNS, 2023.

sd/-

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10 / 12 / 2024

Sub-Assistant Registrar
Madurai Bench of Madras High Court,
Madurai - 625 023.

TSG

TO

1 JUDICIAL MAGISTRATE NO.3
TIRUNELVELI TIRUNELVELI DISTRICT

2 DO-THROUGH :
THE CHIEF JUDICIAL MAGISTRATE,
THIRUNELVELI DISTRICT.

3 THE SUPERINTENDENT,
CENTRAL PRISION, PALAYAMKOTTAI,
TIRUNELVELI DISTRICT.

4 THE INSPECTOR OF POLICE,
DEVARKULAM POLICE STATION,
TIRUNELVELI DISTRICT.

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

+1 CC to M/s.P.VEERAPANDI, Advocate (SR-15208[I] dated 10/12/2024)
<https://www.mhc.tn.gov.in/judis>



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ORDER
IN
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Date :10/12/2024

PSP/ /SAR /10.12.2024/ 5P/ 7C

Madurai Bench of Madras High Court is issuing certified
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