



CRL OP NO. 3893 of 2025

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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 17-02-2025

CORAM

THE HONOURABLE MR JUSTICE SUNDER MOHAN

CRL OP NO. 3893 of 2025

Seenivasan

... Petitioner

Vs.

State Rep By The Inspector Of Police

Nannilam Police Station,

Tiruvavarur District.

Crime No. 359 of 2024

... Respondent

PRAYER: Criminal Original Petition filed under Section 483 of BNSS, pleaded to enlarge the petitioner on bail, in connection with the Crime No.359 of 2024, pending investigation on the file of the respondent Police.

For Petitioner : Mr.S.Nirmal Aditya

For Respondent : Mr.Leonard Arul Joseph Selvam
Government Advocate (Crl.Side)

ORDER

This Criminal Original Petition has been filed by the petitioner, who was arrested and remanded to judicial custody on 31.12.2024, seeking bail in Crime No. 359 of 2024 registered for the offences under Sections 296(b), 131, 351(2) of BNS Act (294,352,503 of IPC) and Section 4 of the Tamil Nadu Prohibition of Harassment of Women Act, 1988.



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2. The case of the prosecution is that the petitioner had misbehaved with the de facto complainant, when she questioned him as to why he was creating nuisance in the public. Hence the case.

3. The learned counsel appearing for the petitioner submitted that the petitioner is innocent, he is in custody from 31.12.2024 and in any case further custody of the petitioner is not required for investigation and hence, the petitioner may be released on bail.

4. The learned Government Advocate (Crl.Side) reiterated the prosecution case and on instruction submitted that there are 4 previous cases as against the petitioner and he was arrested and released on bail in all those cases.

5. Heard the learned counsel appearing for the petitioner and the learned Government Advocate (Crl.Side) for the respondent Police and perused the materials available on record.



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6. Considering the nature of allegation; period of incarceration; though there are some previous cases against the petitioner, he was released on bail in those cases and since further custody is not required for the purpose of investigation, 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.15,000/- (Rupees Fifteen Thousand only)** with **two sureties**, each for a like sum to the satisfaction of the learned **Nannilnam Judicial Magistrate Cum Munsif Court- Tiruvarur.**

[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, everyday 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;

SUNDER MOHAN., J.



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[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]***;

[f] If the accused thereafter absconds, a fresh FIR can be registered under Section 269 B.N.S.

17.02.2025

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To

1. The Nannilnam Judicial Magistrate Cum Munsif Court- Tiruvarur.
2. The Inspector Of Police
Nannilam Police Station,
Tiruvarur District.
3. The Superintendent,
Nannilam Sub jail
4. The Public Prosecutor,
High Court of Madras.

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