



Crl.O.P.No.5382 of 2025

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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 13.06.2025

CORAM

THE HONOURABLE MR. JUSTICE M.NIRMAL KUMAR

Crl.O.P.No.5382 of 2025

Ragu @ Ragunath

... Petitioner/A4

Vs.

State By

Inspector of Police,
Palacode Police Station,
Dharmapuri District.

(Crime No.547 of 2011)

... Respondent

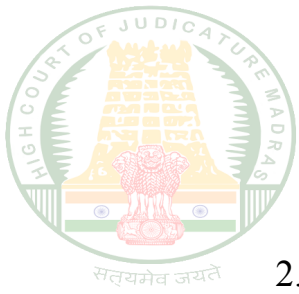
PRAYER : Criminal Original Petition filed under Section 483 of Bharatiya Nagarik Suraksha Sanhita, 2023, to enlarge the petitioner on bail pending before the Fast Track Mahila Court, Dharmapuri in SC.No.62 of 2017 in Crime No.547 of 2011.

For Petitioner : Mr.D.Ramesh Kumar

For Respondent : Mr.L.Baskaran
Government Advocate (Crl.Side)

ORDER

The petitioner, who was arrested and remanded to judicial custody on 01.01.2025, for the offence punishable under Sections 341, 366(A), 376, 323, 307, 109 and 120B IPC r/w 4 of Women Harassment Act in Crime No.547 of 2011, registered on the file of the respondent, seeks bail.



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2.The case of the prosecution is that the petitioner along with other accused had committed sexual assault on the victim girl. Hence the case.

3. Learned counsel for the petitioner submitted that the petitioner is an accused facing trial in S.C.No.62 of 2024 (SC No.53 of 2014) on the file of the Mahila Court, Dharmapuri. He further submitted that since the petitioner was unable to appear before the trial Court, and he was issued with the non-bailable warrant on 24.10.2018 and pursuant to the same, he was arrested on 01.01.2025. He also submitted that the petitioner will undertake that hereafter he will regularly appear before the trial court on all hearing dates. He further submitted that there is no Presiding Officer in Mahila Court, Dharmapuri. For that reason trial is pending. Therefore, he prays for grant of bail to the petitioner.

4. Learned Government Advocate (Crl.Side) appearing for the respondent submitted that since the petitioner, facing trial in S.C.No.62 of 2024 (SC No.53 of 2014) on the file of the Mahila Court, Dharmapuri, has failed to appear before the trial Court, the trial Court has issued a NBW against the petitioner on 24.10.2018 and based on which, petitioner was



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remanded to judicial custody on 01.01.2025. He further submitted that co-accused had filed a miscellaneous petition to club both S.C.No.62 of 2024 and S.C.No.53 of 2014 and the trial is yet to commence. Hence, he oppose for grant of bail to the petitioner.

5. Heard both sides and perused the materials available on record.

6.Considering the facts and circumstances of the case, submissions made by the learned counsels 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 **Fast Track Mahila Court, Dharmapuri** and on further conditions that:

[a] the sureties shall affix their photographs and Left Thumb Impression in the Application for Surety ship [Judicial Form No.46 annexed to 'The Criminal Rules of Practice, 2019']. The learned Magistrate shall obtain a



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copy of any one of the identity proofs to ensure their identity;

[b] the petitioner shall report before the Trial Court on all hearing dates without fail;

[c] the petitioner shall make himself available for interrogation by a Police Officer as and when required;

[d] the petitioner shall not directly or indirectly cause any threat to the de facto complainant and witnesses;

[e] the petitioner to give an undertaking that if required for being identified by witnesses during investigation or for police custody beyond the first fifteen days, he shall comply to the directions as may be given by the Court in this regard;

[f] On breach of any of the aforementioned conditions, the learned Magistrate/Trial Court is entitled to pass appropriate orders against the petitioner in accordance with law as if the aforementioned 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)13 SCC 283]**;

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



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8.The learned Sessions Judge (in-charge), Mahila Court, Dharmapuri, is directed to club both the cases in S.C.No.62 of 2024 and S.C.No.53 of 2014 and complete the trial within a period of four months from the date of receipt of copy of this order. If the trial Court finds any dilatory tactics done by the petitioner to protract the proceedings, coercive steps may be taken against them by keeping the accused in Jail and complete the trial. Consequently, the learned Government Advocate (Criminal side) undertakes to produce the witnesses without any delay. The Deputy Superintendent of Police, Dharmapuri, is directed to monitor the progress of the case.

13.06.2025

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Note :

1. Registry is directed to forthwith upload this order in the Official Website of this Court.
2. All concerned to act on this order being uploaded in Official Website of this Court without insisting on certified hard copies. To be noted, this order when uploaded in the official website of this



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To

- 1.The Fast Track Mahila Court, Dharmapuri.
- 2.The Inspector of Police,
Palacode Police Station,
Dharmapuri District.
- 3.The District Jail,
Dharmapuri.
- 4.The Public Prosecutor,
High Court of Madras.



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M.NIRMAL KUMAR, J.

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