



Crl.O.P.No.5935 of 2025

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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 04.03.2025

CORAM

THE HON'BLE MR. JUSTICE SUNDER MOHAN

Crl.O.P.No.5935 of 2025

Ajay

... Petitioner

Vs.

The State represented by,
The Sub Inspector of Police,
Neyveli Thermal Police Station,
Cuddalore District.
(Crime No.24 of 2025).

... Respondent

PRAYER: Criminal Original Petition filed under Section 483 of BNSS, pleaded to enlarge the petitioner on bail, in connection with the Crime No.24 of 2025, pending investigation on the file of the respondent Police.

For Petitioner : Mr.K.Gandhi Kumar

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 17.02.2025, seeking bail in Crime No.24 of 2025 registered for the offence under Sections 77 and 351(3) of BNS [under Section 354(C) and 506(ii) of IPC]



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2. The case of the prosecution is that the petitioner was found hiding and watching the defacto complainant taking bath and also tried to misbehave with her, thatwhen she raised alarm, petitioner scared her with a knife and threatened her of dire consequences. Hence, the case.

3. Learned counsel appearing for the petitioner submitted that for the alleged occurrence said to have happened on 13.11.2024, that the FIR was lodged only on 17.02.2025; that the allegations are totally false and due to property dispute, defacto complainant had lodged a false complaint against the petitioner; that the petitioner is in custody from 17.02.2025; and that further custody is not required for the purpose of investigation. Hence, he prayed for grant of bail to the petitioner.

4. Learned Government Advocate (Crl.Side) reiterated the prosecution case and confirms the fact that for the occurrence happened on 13.11.2024, and the FIR was registered on 17.02.2025.



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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.

6. Considering, nature of allegation against the petitioner; period of incarceration; 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 their 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 **District Munsif Cum Judicial Magistrate, Neyveli** 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 everyday at 10.30 a.m., until further orders;

[c] the petitioner shall not abscond either during



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investigation or trial;

[d] the petitioner shall not tamper with evidence or witness either during investigation or trial;

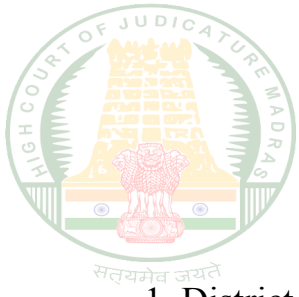
[e] On breach of any of the aforesaid conditions, the learned Magistrate/Trial Court is entitled to take appropriate action against the petitioner in accordance with law as if the conditions have been imposed and the petitioner released on bail by the learned Magistrate/Trial Court himself as laid down 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.

04.03.2025

Sma

To



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1. District Munsif CUM Judicial Magistrate,
Neyveli.
2. The Sub Inspector of Police,
Neyveli Thermal Police Station,
Cuddalore District.
3. The Superintendent,
Central Prison, Cuddalore.
4. The Public Prosecutor,
High Court of Madras.



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SUNDER MOHAN., J.

Sma

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