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Crl.O.P.No.8876 of 2



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 25.03.2025

CORAM

THE HONOURABLE MR.JUSTICE SUNDER MOHAN

Crl.O.P.No.8876 of 2025

Karuthakkutti @ Manivannan

...Petitioner/Accused

Vs.

State rep by
The Inspector of Police,
Andimadam Police Station,
Ariyalur District.

(Crime No.55 of 2025)

... Respondent

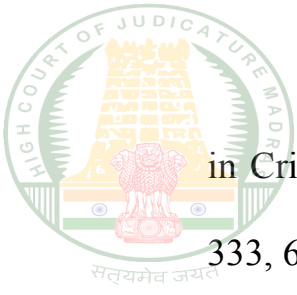
PRAYER: This criminal original petition has been filed under Section 483 of BNSS to enlarge the petitioner on bail in Crime No.55 of 2025 pending investigation on the file of the respondent police.

For Petitioner : Mr.A.Mukesh

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 07.02.2025, seeking bail



in Crime No.55 of 2025 registered for the offence under Sections 329(iv), 333, 64, 351(3), 62 of BNS, 2023.

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2.It is the case of the prosecution that on 06.02.2025 at about 8.00 p.m, while the defacto complainant and her daughter were in their house, the petitioner, who was residing in the same street, had trespassed into the house with an intention to rape, had inappropriately touched the defacto complainant and misbehaved with her; that when the defacto complainant shouted, the petitioner ran away from the place. Hence, the case.

3.The learned counsel for the petitioner would submit that the petitioner is innocent; and that the petitioner is in custody from 07.02.2025 and hence, further custody is not required and sought for bail.

4.Per contra, the learned Government Advocate (Crl. Side) reiterated the prosecution case and opposed the grant of bail.

5.Heard the learned counsel on either side and perused the materials available on record.



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6.Considering the nature of allegations, period of incarceration and since further custody of the petitioner 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 **Judicial Magistrate II, Jayankondam**, 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 stay at Chennai and report before the Inspector of Police, Flower Bazaar Police Station, Chennai, 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;

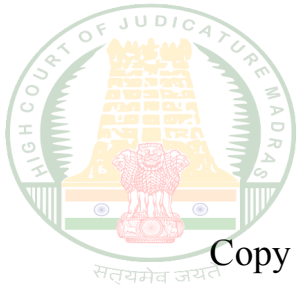


[e] On breach of any of the aforesaid conditions, the learned Magistrate/Trial Court is entitled to take appropriate action against the petitioner in accordance with law as if the conditions have been imposed and the petitioner released on bail by the learned Magistrate/Trial Court himself as laid down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

25.03.2025

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- 1.The Inspector of Police,
Andimadam Police Station,
Ariyalur District.
- 2.The Judicial Magistrate II, Jayankondam.
- 3.Sub Jail, Jayankondam.
- 4.The Public Prosecutor,
High Court, Madras.



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CrI.O.P.No.8876 of 2



SUNDER MOHAN, J.

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