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Crl. O.P. No.9793 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 02.04.2025

CORAM

THE HON'BLE MR. JUSTICE SUNDER MOHAN

Crl.O.P.No.9793 of 2025

1.Manikandan
2.Deepak

... Petitioners/Accused 1 & 2

Vs.

The State represented by-

The Inspector of Police,
Arni Town Police Station,
Thiruvannamalai District.
(Crime No.117 of 2025)

... Respondent

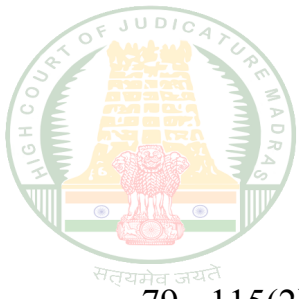
PRAYER: Criminal Original Petition filed under Section 483 of BNSS, pleaded to enlarge the petitioners on bail, in connection with the Crime No.117 of 2025 pending investigation on the file of the respondent Police.

For Petitioner s : Mr.M.Vignesh

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

ORDER

This Criminal Original Petition has been filed by the petitioners, who were arrested and remanded to judicial custody on 12.03.2025, seeking bail in Crime No.117 of 2025 registered for the offence under Sections 296(b), 75(1)(ii), 75(2),



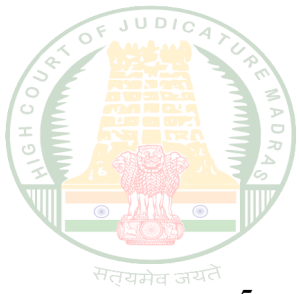
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79, 115(2), 118(1), 351(3) of BNS, 2023 and Section 4 of Tamil Nadu Prohibition of Harassment of Women Act, 2002.

2. The case of the prosecution is that due to previous enmity, the petitioners abused the daughter of the defacto complainant in filthy language and assaulted her and also threatened her of dire consequences. Hence, the case.

3. Learned counsel appearing for the petitioners submitted that the allegations against the petitioners are innocent; that the allegations against the petitioners are false; that in any case, the petitioners are in judicial custody from 12.03.2025 and since further custody of the petitioners is not required and they may be released on bail.

4. Per contra, the learned Government Advocate (Crl. Side) reiterated the prosecution case and opposed for grant of bail to the petitioners and further submitted the first petitioner is the ex-husband of the defacto complainant's daughter and the second petitioner is the first petitioner's friend.



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5. Considering the nature of allegation against the petitioners and the relationship between the parties and that the period of incarceration, this Court is of the view that further custody of the petitioners is not required for the purpose of investigation. Hence, this Court is inclined to grant bail to the petitioners with certain conditions:

6. Accordingly, the petitioners are ordered to be released on bail on their executing a separate 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 **Judicial Magistrate, Arni.**

[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 petitioners shall appear before the respondent police everyday at 10.30 a.m., until further orders;

[c] the petitioners shall not abscond either during investigation or trial;

[d] the petitioners 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



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action against the petitioners in accordance with law as if the conditions have been imposed and the petitioners 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.

02.04.2025

rkp

To

- 1.The Judicial Magistrate, Arni.
- 2.The Inspector of Police,
Arni Town Police Station,
Thiruvannamalai District.
3. The Superintendent,Central Prison, Vellore.
4. The Public Prosecutor, High Court of Madras.



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SUNDER MOHAN., J.

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