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Crl.O.P.No.9856 of 2



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 03.04.2025

CORAM

**THE HONOURABLE MR.JUSTICE SUNDER MOHAN**

Crl.O.P.No.9856 of 2025

Dinesh

...Petitioner/Accused

Vs.

State rep by  
The Inspector of Police,  
Siva Kanchi Police Station,  
Kancheepuram.

(Crime No.67 of 2025)

... Respondent

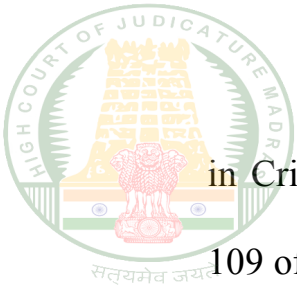
**PRAYER:** This criminal original petition has been filed under Section 483 of BNSS to enlarge the petitioner on bail in Crime No.67 of 2025 pending investigation on the file of the respondent police.

For Petitioner : Mr.S.Karthik

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 24.02.2025, seeking bail



in Crime No.67 of 2025 registered for the offence under Sections 296(b), 109 of BNS, 2023 read with Section 4 of Tamil Nadu Prohibition of Women Harassment Act.

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2.It is the case of the prosecution that the petitioner abused the defacto complainant in filthy language and assaulted her with an intention to eliminate her, due to which, the defacto complainant sustained head injuries and admitted to hospital. Hence, the case.

3.The learned counsel for the petitioner would submit that the allegations are false; that due to previous enmity a false complaint has been given; and that in any case, considering the period of incarceration and the fact that the injured has been discharged from the hospital, he may be released on bail.

4.Per contra, the learned Government Advocate (Crl. Side) reiterated the prosecution case and submitted that the injured has been discharged from the hospital and that the petitioner has no bad antecedents.



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5. Considering the nature of allegations, period of incarceration and the fact that the injured has been discharged from the hospital and the petitioner has no bad antecedents 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.

6. 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 **Judicial Magistrate No.I, Kancheepuram** 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 investigation or trial;

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



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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.

03.04.2025

rkp

Copy to:

- 1.The Inspector of Police,  
Siva Kanchi Police Station,  
Kancheepuram.
- 2.The Judicial Magistrate No.I, Kancheepuram.
3. The Superintendent of Prison,  
Central Prison, Puzhal.
- 4.The Public Prosecutor,  
High Court, Madras.



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**SUNDER MOHAN, J.**

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