



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 15.04.2025

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THE HONOURABLE MR.JUSTICE SUNDER MOHAN

Crl.O.P.No.11008 of 2025

Vankatesan @ Venkatesan

...Petitioner/Accused

Vs.

State rep by
The Inspector of Police,
Ariyalur Police Station
Ariyalur District.
(Crime No.97 of 2025)

... Respondent

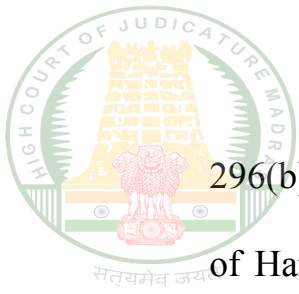
PRAYER: This criminal original petition has been filed under Section 483 of BNSS to enlarge the petitioner on bail in Crime No.97 of 2025 pending on the file of the respondent.

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 18.03.2025, seeking bail in Crime No.97 of 2025 registered for the offence under Sections 329(4),



296(b), 115(2), 351(3) of BNS and Section 4 of the Tamil Nadu Prohibition of Harassment of Women (TNPWH) Act, 1998 and Section 3(1) of Tamil Nadu Public Property (Prevention of Damages and Loss) Act.

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2. The case of the prosecution is that the petitioner abused the defacto complainant in a filthy language and attacked and threatened the defacto complainant and damaged the household articles with wooden log. Hence the case.

3.The learned counsel appearing for the petitioner submitted that the petitioner is innocent and the allegations against the petitioner are false; that the petitioner is sought to be implicated as an accused due to previous enmity; that in any case, the petitioner was arrested and remanded to judicial custody on 18.03.2025 and further custody of the petitioner is not required and he prayed for bail to the petitioner.

4.The learned Government Advocate (Crl. Side) appearing for the respondent reiterated the prosecution case and on instruction submitted that the petitioner has four previous cases.



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5. Considering the nature of allegation, the period of incarceration and the fact that though the petitioner has four previous cases, he is on bail in those cases 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, Additional Mahila Court, Ariyalur 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.

15.04.2025

rkp
Copy to:

- 1.The Inspector of Police,
Ariyalur Police Station
Ariyalur District.
- 2.The Judicial Magistrate,
Additional Mahila Court, Ariyalur.
3. The Superintendent, Sub-Jail, Ariyalur.
- 4.The Public Prosecutor,
High Court, Madras.



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Crl.O.P.No.11008 of 2



SUNDER MOHAN, J.

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Crl.O.P.No.11008 of 2025

15.04.2025