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CRL O.P. No.12027 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

Dated : 22.04.2025

CORAM:

THE HON'BLE MR.JUSTICE SUNDER MOHAN

CRL O.P. No.12027 of 2025

Ashok Yadav S/o. Gulten Yadav

... Petitioner / Accused

Vs

State rep. by:-

The Inspector of Police,
Madathukulam Police Station,
Tiruppur District.
[Cr. No.46 of 2025]

... Respondent

PRAYER: - Criminal Original Petition filed under Section 483 of BNSS,

pleased to enlarge the petitioner on bail, in connection with the Cr. No.46

of 2025, pending investigation on the file of the respondent Police.

For Petitioner : Mr.M.R. Elavarasan

For Respondent : Mr. Leonard Arul Joseph Selvam,
Government Advocate
[Criminal side]

ORDER

This Criminal Original Petition has been filed by the



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petitioner/accused, who was arrested and remanded to judicial custody on 15.03.2025, seeking bail in Cr. No.46 of 2025 registered for the offences under Sections 329(4), 76 and 296(b) of B.N.S..

2. The case of the prosecution is that while celebrating Holi festival, the petitioner and other accused had touched the defacto complainant inappropriately and misbehaved with her and abused her in filthy language.

3. Learned counsel appearing for the petitioner submitted that the allegations against the petitioner are false; that he has nothing to do with the alleged occurrence; that in any case, further custody of the petitioner is not required for the purpose of investigation; and that considering the period of incarceration of the petitioner, he may be released on bail.

4. Learned Government Advocate (Crl.Side) appearing for the respondent police, reiterated the prosecution case and confirmed the said facts.



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5. Considering the nature of allegations against the petitioner and the period of incarceration, this Court is of the view that further custody of the petitioner is not required for the purpose of investigation. Hence, 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 learned **District Mahila Chief Judicial Magistrate, Madathukulam** 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



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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;

[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.

22.04.2025

mjs

SUNDER MOHAN. J.,

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mjs

To

1. The District Mahila Chief Judicial Magistrate, Madathukulam.
2. The Inspector of Police,
Madathukulam Police Station,
Tiruppur District.
3. The Superintendent of Police, Central Prison, Coimbatore.
4. The Public Prosecutor,
High Court of Madras.

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