



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 25.04.2025

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THE HONOURABLE MR.JUSTICE SUNDER MOHAN

Crl.O.P.No.12730 of 2025

P.Govindaraj

...Petitioner/Accused

Vs.

State rep by
The Inspector of Police,
Central Police Station,
Tiruppur District.

(Crime No.174 of 2025)

... Respondent

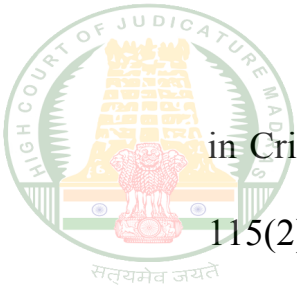
PRAYER: This criminal original petition has been filed under Section 483 of BNSS to enlarge the petitioner on bail in Crime No.174 of 2025 pending investigation on the file of the respondent police.

For Petitioner : Mr.K.Sudhakar

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 21.03.2025, seeking bail



in Crime No.174 of 2025 registered for the offence under Sections 296(b), 115(2), 118(1), 351(3) of BNS, 2023.

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2.It is the case of the prosecution that the defacto complainant and his wife were living separately; that there were matrimonial disputes between them; that taking advantage of the same, the petitioner approached the defacto complainant's wife and sought for sexual favours; that when the defacto complainant questioned the same, the petitioner had abused the defacto complainant in filthy language, assaulted him with iron rod and caused injuries. Hence, the case.

3.The learned counsel for the petitioner would submit that the petitioner is innocent; that the petitioner has no bad antecedents; that the injured has been discharged from the hospital; and that in any case, the petitioner is in custody from 21.03.2025 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 confirmed the facts that the injured has been discharged from the hospital and the petitioner has no bad antecedents.



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, the period incarceration, the fact that the injured has been discharged from the hospital, 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:

7.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.II, Tiruppur**, 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 **Coimbatore** and report before the **Inspector of Police, Race Course Police Station, Coimbatore, 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.

25.04.2025

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Copy to:

1.The Inspector of Police,
Central Police Station,
Tiruppur District.

2.The Judicial Magistrate No.II, Tiruppur.

3.District Prison, Tiruppur.

4.The Public Prosecutor,
High Court, Madras.



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SUNDER MOHAN, J.

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