



Crl. O.P. No.13576 of 2025

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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 29.04.2025

CORAM

THE HON'BLE MR. JUSTICE SUNDER MOHAN

Crl.O.P.No.13576 of 2025

Giridharan S/o. Sriram

... Petitioner/Accused-1

Vs.

The State represented by-

The Inspector of Police,
Attur Town Police Station,
Salem District.
(Crime No.44 of 2025).

... Respondent

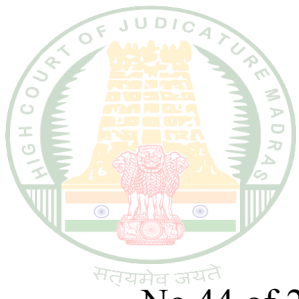
PRAYER: Criminal Original Petition filed under Section 483 of BNSS, pleaded to enlarge the petitioner on bail, in connection with the Crime No.44 of 2025, pending investigation on the file of the respondent Police.

For Petitioner : Mr. T. Ganesan

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 14.03.2025, seeking bail in Crime



Crl. O.P. No.13576 of 2025

No.44 of 2025 registered for the offences under Sections 118(1) and 49 of B.N.S. altered to Sections 118(1) and 49 of B.N.S. and Sections 75 and 87 of J.J. Act, 2015.

2. The case of the prosecution is that there were matrimonial differences between the defacto complainant and his wife, who is the sister of the petitioner herein; that the wife of the defacto complainant was living in the house of the petitioner along with her minor son, aged 3 years; that when the defacto complainant went to visit the child, who is residing at the house of the petitioner, he found that the child suffered burn injuries; that the defacto complainant took the child to the hospital and the child told the defacto complainant that the petitioner had caused burn injuries and hence the case.

3. The learned counsel appearing for the petitioner submitted that the allegations against the petitioner are false; that he has nothing to do with the alleged offences; that due to matrimonial dispute between the defacto complainant and the petitioner's sister, the present false complaint has been lodged against the petitioner; that the petitioner was arrested on 14.03.2025, in spite of the interim protection granted by this Court vide order dated 06.03.2025 in the anticipatory bail petition; and that in any case, considering the period of



Crl. O.P. No.13576 of 2025

incarceration, further custody of the petitioner is not required and prayed that the petitioner may be released on bail.

4. Learned Government Advocate (Crl.Side) appearing for the respondent police, while opposing grant of bail to the petitioner, reiterated the prosecution case and on instructions, confirmed the aforesaid facts and submitted that the charge sheet is yet to be filed.

5. Considering the aforesaid submissions made on either side, nature of allegations against the petitioner, the period of incarceration, the fact that there are matrimonial differences between the petitioner's sister and the defacto complainant, 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 **Judicial Magistrate No.I, Attur, Salem.**

[a] the sureties shall affix their photographs and Left



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Crl. O.P. No.13576 of 2025

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 daily at 10.30 a.m., until further orders;

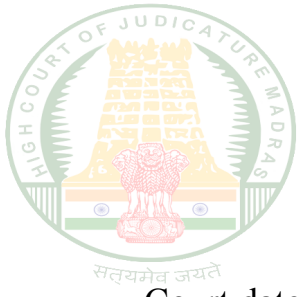
[c] the petitioner shall not abscond either during investigation or trial;

[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.

7 List the case tomorrow (30.04.2025). The Inspector of Police, Attur Town Police Station, Salem District is directed to appear before this Court on 30.04.2025, since the petitioner was arrested, in spite of the earlier order of this



Crl. O.P. No.13576 of 2025

Court dated **06.03.2025** granting interim protection from arrest.

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29.04.2025

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Crl. O.P. No.13576 of 2025

SUNDER MOHAN., J.

mjs

To

1. The Judicial Magistrate No.I, Attur, Salem.
2. The Inspector of Police, Attur Town Police Station, Salem District.
3. The Superintendent of Police, Central Prison, Salem.
4. The Public Prosecutor, High Court of Madras.

Crl. O.P. No.13576 of 2025

29.04.2025