



Crl.O.P.No.14548 of 2025

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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 08.05.2025

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THE HON'BLE MRS. JUSTICE L.VICTORIA GOWRI

Crl.O.P.No.14548 of 2025

K.Dhinesh Kumar

... Petitioner

Vs.

State Rep. by,
The Inspector of Police,
W-23, All Women Police Station,
Royapettah, Chennai.
(Crime No.9 of 2025).

... Respondent

PRAYER : Criminal Original Petition filed under Section 483 of Bharatiya Nagarik Suraksha Sanhita, 2023, pleased to enlarge the petitioner on bail, in Crime No.9 of 2025, pending investigation on the file of the respondent Police.

For Petitioner : Mr.R.Vinod Kumar

For Respondent : Ms.J.R.Archana
Government Advocate (Crl.Side)

ORDER

Petition seeking bail in respect of Crime No.9 of 2025 registered for the alleged offences punishable under Sections 85, 296(b), 351(2), and 316(2) of BNS, (Sections 498(A), 294(b), 506(i), 406 of IPC), is on board for consideration.



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2. The case of the prosecution is that the petitioner/accused had harassed her wife/de facto complainant, abused her and committed criminal breach of trust. Hence the case.

3. Learned counsel appearing for the petitioner submitted that the petitioner, who is none other than the husband of the de facto complainant, is an innocent person and he has been falsely implicated in this case. He further submitted that due to the matrimonial dispute and on the instigation of the relatives, the de facto complainant has given a false complaint against the petitioner. He also submitted that the petitioner is suffering incarceration from 15.04.2025, hence, he prayed for grant of bail to the petitioner stating that the petitioner is ready to abide by any stringent condition that may be imposed by this Court.

4. Learned Government Advocate (Crl. Side) appearing for the respondent police reiterated the prosecution case and opposed for granting bail to the petitioner.

5. Heard both sides and perused the materials available on record.



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6. Taking note of the facts and circumstances of the case, nature of allegations, submissions made by the learned counsels on either side and since, further custodial interrogation 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.10,000/- (Rupees Ten Thousand only)** with **two sureties**, each for a like sum to the satisfaction of the learned **XVIII Metropolitan Magistrate, Saidapet, Chennai**, 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., for a period of one month and thereafter, as and when required for further interrogation;

[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



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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 of B.N.S.

08.05.2025

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Note :

1. Registry is directed to forthwith upload this order in the Official Website of this Court.
2. All concerned to act on this order being uploaded in Official Website of this Court without insisting on certified hard copies. To be noted, this order when uploaded in the official website of this Court will be watermarked and will also have a QR code.

To

1. The XVIII Metropolitan Magistrate,
Saidapet, Chennai.
2. The Inspector of Police,
W-23, All Women Police Station,
Royapettah, Chennai.
3. The Superintendent,
Central Prison, Puzhal-II, Chennai.
4. The Public Prosecutor,
High Court of Madras.

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