

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 09.05.2025

CORAM

THE HON'BLE MRS. JUSTICE L.VICTORIA GOWRI

Crl.O.P.No.14808 of 2025

Hariharan

... Petitioner

Vs.

State Rep. by,
The Inspector of Police,
South Police Station,
Tiruppur District.
(Crime No.320 of 2025).

... Respondent

PRAYER : Criminal Original Petition filed under Section 483 of Bharatiya Nagarik Suraksha Sanhita, 2023, pleaded to enlarge the petitioner on bail, in Crime No.320 of 2025, pending investigation on the file of the respondent Police.

For Petitioner : Mr.K.Gopinath

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

ORDER

Petition seeking bail in respect of Crime No.320 of 2025 registered for the alleged offences punishable under Sections 126(2), 296(b), 232(1) and 351(3) of BNS and Section 4 of Tamil Nadu Prohibition of Harassment of Women Act, is on board for consideration.

2. The case of the prosecution is that the deceased is the husband of the defacto complainant. On 09.04.2025, when the defacto complainant was cross examined by the accused counsel in another case, for which, the petitioner along with other accused threatened the defacto complainant not to give further evidence against him. Hence, the complaint.

3. Learned counsel appearing for the petitioner submitted that the petitioner is an innocent person, he has been falsely implicated in this case and he has not committed any offence as alleged in the FIR. He also submitted that the petitioner is suffering incarceration from 10.04.2025. He further submitted that the petitioner is ready to abide by any stringent condition that may be imposed by this Court. Hence, he prayed for grant of bail to the petitioner.

4. Learned Government Advocate (Criminal Side) appearing for the respondent police, while opposing for grant of bail to the petitioner, reiterated the prosecution case and submitted that the petitioner was arrested on 10.04.2025; that the petitioner threatened the defacto complainant to give false evidence in another case.

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

6. Taking note of the facts and circumstances of the case, nature of allegations, submissions made by the learned counsels on either side and the period of incarceration undergone by the petitioner, 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 **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 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

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.

09.05.2025

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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 Judicial Magistrate No.II, Tiruppur.
2. The Inspector of Police,
South Police Station,
Tiruppur District.
3. The Superintendent,
Sub Jail. Tiruppur.
4. The Public Prosecutor,
High Court of Madras.

L.VICTORIA GOWRI, J.

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