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Crl.O.P.No.15749 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 20.06.2025

CORAM

THE HONOURABLE MR. JUSTICE M.NIRMAL KUMAR

Crl.O.P.No.15749 of 2025

Susila

... Petitioner/A3

Vs.

The State represented by
The Inspector of Police,
Kariyapattinam Police Station,
Nagapattinam.
(Crime No.73 of 2025)

... Respondent

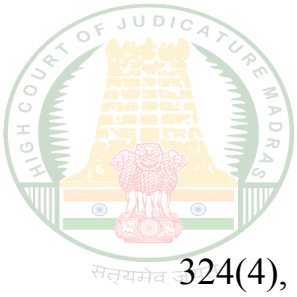
PRAYER : Criminal Original Petition filed under Section 483 of Bharatiya Nagarik Suraksha Sanhita, 2023, to enlarge the petitioner on bail in connection with the case in Crime No.73 of 2025 pending investigation on the file of the respondent police.

For Petitioner : Mr.U.Kathiravan

For Respondent : Mr.L.Baskaran
Government Advocate (Crl.Side)

ORDER

The petitioner, who was arrested and remanded to judicial custody on 17.04.2025, for the offences punishable under Section 126(2), 296(b),



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324(4), 103 of BNS r/w Section 4 of Tamil Nadu Prohibition of Harassment of Women Act, in connection with Crime No.73 of 2025, registered on the file of the respondent, seeks bail.

2.The case of the prosecution is that due to previous enmity, the petitioner/A3 along with A1 and A2 had wrongfully restrained the husband of the defacto complainant and attacked him with wooden log, knife and brick and also scolded the defacto complainant in filthy language and attacked her by pulling out her hair and damaged the motor cycle, due to the injuries, the husband of the defacto complainant had died. Hence, the case.

3.The learned counsel for the petitioner would submit that the petitioner is no way connected with the above offence and she has been falsely implicated in this case. The petitioner/A3 is in judicial custody from 17.04.2025 and hence, further custody of the petitioner is not required. He further submitted that the petitioner is ready to abide by any stringent conditions that may be imposed by this Court. Hence, he prayed for grant of bail to the petitioner.



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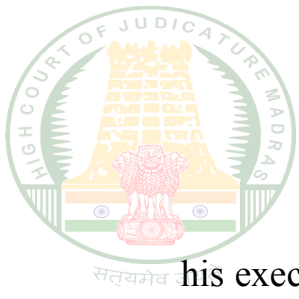
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4. The Learned Government Advocate (Criminal Side) appearing for the respondent police submitted that there are totally three accused and the petitioner is arrayed A3 in this case. He submitted that due to previous enmity, the petitioner/A3 along with A1 and A2 had wrongfully restrained the husband of the defacto complainant and attacked him with wooden log, knife and brick and also scolded the defacto complainant in filthy language and attacked her by pulling out her hair and damaged the motor cycle, due to the injuries, the husband of the defacto complainant had died. He submitted that A1 and A2 are already detained under Goondas Act and the investigation is almost completed. Hence, he strongly opposed for granting bail to the petitioner.

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

6. Considering the facts and circumstances of the case, 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



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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 **District Munsif cum Judicial Magistrate, Vedaranyam**, and on further conditions that:

[a] the sureties shall affix their photographs and Left Thumb Impression in the Application for Surety ship [Judicial Form No.46 annexed to 'The Criminal Rules of Practice, 2019']. The learned Magistrate shall obtain a copy of any one of the identity proofs to ensure their identity;

[b] **the petitioner shall appear before the respondent police daily at 10.30 a.m., until further orders;**

[c] the petitioner shall make himself available for interrogation by a Police Officer as and when required;

[d] the petitioner shall not directly or indirectly cause any threat to the de-facto complainant and witnesses;

[e] the petitioner to give an undertaking that if required for being identified by witnesses during investigation or for police custody beyond the first fifteen days, he shall comply to the directions as may be given by the Court in this regard;

[f] On breach of any of the aforementioned



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conditions, the learned Magistrate/Trial Court is entitled to pass appropriate orders against the petitioner in accordance with law as if the aforementioned 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)13 SCC 283]**;

[g] If the accused thereafter absconds, a fresh FIR can be registered under Section 269 of B.N.S.

20.06.2025

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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.



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M.NIRMAL KUMAR, J.

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To

1.The District Munisif cum Judicial Magistrate,
Vedaranyam.

2.The Inspector of Police,
Kariyapattinam Police Station,
Nagapattinam.

3.The Superintendent,
Women Prison, Trichy.

4.The Public Prosecutor,
High Court of Madras.

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