



Crl.O.P.No.18380 of 2025

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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 27.06.2025

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THE HONOURABLE MR. JUSTICE M.NIRMAL KUMAR

Crl.O.P.No.18380 of 2025

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.. Petitioner

Vs.

State rep. by
The Inspector of Police
Kondalampatty Police Station
Salem District
Crime No. 212 of 2025

... Respondent

PRAYER : Criminal Original Petition filed under Section 483 of Bharatiya
Nagarik Suraksha Sanhita, 2023 to enlarge the petitioner on bail pending
investigation in Crime No. 212 of 2025 on the file of the respondent police.

For Petitioner : MrT.Dhasarathan

For Respondent : Mr.A.Gokulakrishnan
Additional Public Prosecutor

ORDER

The petitioner, who was arrested and remanded to judicial custody on
31.05.2025, for the offence punishable under Sections 191(2), 191(3), 296(b),
118(1) and 109 of BNS Act, 2023 and Section 4 of Tamil Nadu Prohibition of
Harassment of Women Act, 2002 in connection with Crime No.212 of 2025,
registered on the file of the respondent, seeks bail.



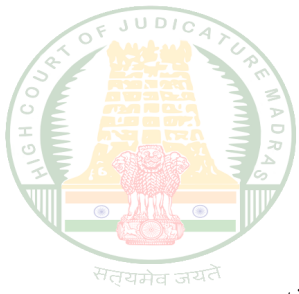
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2. The case of the prosecution is that there was a wordy quarrel between the petitioner and the defacto complainant due to which the petitioner along with other accused abused the defacto complainant and her husband in a filthy language and also assaulted them and caused injuries. Hence, the case.

3. Learned counsel appearing for the petitioner submitted that the petitioner is an innocent person and he has been falsely implicated in this case. He also submitted that the petitioner is in no way connected with the alleged offence, however, he is suffering incarceration from 31.05.2025. It is the contention of the petitioner that the petitioner along with others were having some happy moments at that time, the defacto complainant and her husband intervened and caused disturbance to them. In that state of mind, wordy quarrel arose between them which is now projected as if the petitioner had attacked the defacto complainant and her husband and caused serious injuries. 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 Additional Public Prosecutor appearing for the respondent police, while opposing for grant of bail to the petitioner, submitted that the petitioner along with four others, under the influence of alcohol near the defacto complainant's house caused disturbance to defacto complainant. When the same



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was questioned, a wordy quarrel arose due to which, the petitioner along with others attacked the defacto complainant and her husband by using stones and other articles and caused serious injuries to his jaw and as a result of the incident, the defacto complainant lost two teeth for which they have incurred medical expenses hence, he strongly objected to grant bail to the petitioner.

5. At this juncture, the learned counsel for the petitioner fairly comes forward to deposit a sum of Rs.25,000/- to the credit of crime number.

6. In view of the above, the petitioner is directed to deposit a sum of **Rs.25,000/- (rupees twenty five thousand only) to the credit of crime number.** The learned Additional Public Prosecutor through the respondent police is directed to inform the defacto complainant about the deposit made by the petitioner. The Trial Court is directed to hand over the amount to the defacto complainant subject to proper identification and acknowledgement.

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

8. Considering the facts and circumstances of the case, nature of allegations, submissions made by the learned counsels on either side and considering the period of incarceration undergone by the petitioner, this Court is inclined to grant bail to the petitioner with certain conditions.



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9. 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 Additional Mahila Court, Salem** 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 report before the respondent Police, everyday at 10.30 a.m., for a period of three weeks and thereafter, as and when required for further interrogation;

[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



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directions as may be given by the Court in this regard;

[f] On breach of any of the aforementioned 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]**;

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

27.06.2025

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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.

M.NIRMAL KUMAR, J.



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To

1. The learned Additional Mahila Court, Salem

The Inspector of Police
Kondalampatty Police Station
Salem District

3. The Superintendent,
Central Prison, Salem.

4. The Public Prosecutor,
High Court, Madras.

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