



Crl.O.P.No.21446 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 07.08.2025

CORAM

THE HONOURABLE MR.JUSTICE M.NIRMAL KUMAR

Crl.O.P.No.21446 of 2025
and Crl.M.P.No.15193 of 2025

M.Kishorekumar

... Petitioner

Vs.

State rep. By
The Inspector of Police,
G-2 Periamet Police Station,
Chennai.
(Crime No.354 of 2025)

... Respondent

PRAYER: Criminal Original Petition is filed under Section 483 of BNSS, to enlarge the petitioner on bail in Crime No.354 of 2025 on the file of the respondent on condition deemed fit by this Court.

For Petitioner : Mr.V.T.Narendiran

For Respondent : Mr.R.Vinoth Raja,
Government Advocate (Crl. Side)

For Intervener : Mr.M.Govindaraju



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ORDER

WEB COPY The petitioner who was arrested and remanded to judicial custody on 30.06.2025 in connection with Crime No.354 of 2025 for offence under Sections 191(2), 191(3), 296(b), 115(2), 118(1) and 351(3) of BNS r/w Section 4 of Tamil Nadu Prohibition of Harassment of Women Act, 2002 on the file of the respondent Police, seeks bail.

2.The learned counsel for the petitioner/A1 submitted that the petitioner was employed as Manager in Vaigai Hotel which was managed by Uma Maheshwari/A2. Uma Maheshwari/A2 had difference of opinion with her husband Palanisamy. The said Palanisamy, his brother Sundaramoorthy and Sekar/defacto complainant was under the impression that difference of opinion between Palanisamy and Uma Maheshwari has been misused by the petitioner and thereby, swindling the amount. They had also suspected that the petitioner was moving very closely with Uma Maheshwari. When the same was questioned, the defacto complainant and others assaulted and there was exchange of blows. On the complaint of the petitioner, a case in Crime No.355 of 2025 registered against Palanisamy and others. It is a case



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and counter, hence, he prayed for bail.

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3.The learned Government Advocate (Crl. Side) appearing for the respondent Police submitted that when the Police patrol team was on routine duty, they found there was commotion and fight between two groups. On enquiry, it is found that the petitioner along with his friends attacked Palanisamy, Sundaramoorthy, Sekar/defacto complainant and their sons. It is also found that there have been allegations made by Palanisamy about his wife and the petitioner. Further, the defacto complainant had serious doubt about relationship between the petitioner and Uma Maheshwari in this case. After enquiry, a case registered against petitioner in Crime No.354 of 2025 and on the complaint of the petitioner, a case in Crime No.355 of 2025 registered against Palanisamy and others. Both the groups took medical treatment and now all discharged from the hospital. In the counter case, the said Palanisamy was arrested and later, come out on bail.

4.The learned counsel for the defacto complainant/Intervenor submitted that in this case, the petitioner was the Manager of Vaigai Hotel



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for the past 4 years and Palanisamy is the owner of said hotel. Palanisamy's siblings namely Sundaramoorthy, Sekar were having business in and around Vaigai Hotel. He further submitted that the petitioner and Uma Maheshwari wife of Palanisamy had developed some relationship. Taking advantage of difference between Uma Maheshwari and her husband Palanisamy, the petitioner moved very close with Uma Maheshwari, misappropriated and swindled huge sums of money. On one occasion, the defacto complainant, his brothers and their sons came to Vaigai hotel during holiday to find out missing of jewel, for which, they had turned on CCTV recordings. At that time, they found the petitioner and Uma Maheshwari/A2 were having physical relationship inside the hotel. When the same was questioned, the petitioner and A2 brought their henchmen and attacked the defacto complainant and five others. All sustained serious injuries and the incident taken place captured in CCTV camera. The defacto complainant had all the CCTV recordings and handed over to the respondent Police. Hence, strongly opposed for bail.



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5.Considering the rival submissions and on perusal of the materials, it is seen that the fight arose due to some objectionable relationship. Both the groups sustained injuries and later discharged from the hospital.

6.Taking into consideration the facts and circumstances of the case and period of incarceration, 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 learned II Metropolitan Magistrate, Egmore, Chennai 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., for a period of 30 days and thereafter as and when required for interrogation;



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[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 defacto 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 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.

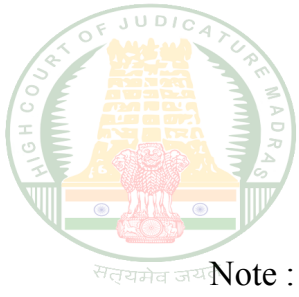
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Speaking Order/Non Speaking Order

Index : Yes/No

Neutral Citation: Yes/No

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Note :

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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 II Metropolitan Magistrate,
Egmore, Chennai.
- 2.The Central Prison,
Puzhal, Chennai.
- 3.The Inspector of Police,
G-2 Periamet Police Station,
Chennai.
- 4.The Public Prosecutor,
Madras High Court.



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M.NIRMAL KUMAR, J.

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