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Crl.O.P.No.23351 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 22.08.2025

CORAM

THE HONOURABLE Dr.JUSTICE **G.JAYACHANDRAN**

Crl.O.P.No.23351 of 2025

Khajarafic

... Petitioner

Vs.

The State Rep. by:
The Inspector of Police,
Ariyur Police Station,
Tamil Nadu.
(Crime No.122 of 2025)

... Respondent

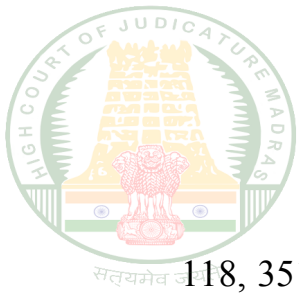
PRAYER : Criminal Original Petition filed under Section 483 of Bharatiya Nagarik Suraksha Sanhita, 2023, to enlarge the petitioner on bail in Crime No.122 of 2025 on the file of the Inspector of Police, Ariyur Police Station.

For Petitioner : Mr.R.Thamarai Selvan

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

ORDER

The petitioner, who was arrested and remanded to judicial custody on 21.07.2025, for the offence punishable under Sections 296(b), 127(2), 85,



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118, 351(3) & 109(1) of BNS, 2023, Section 3 of Tamil Nadu Prohibition of Women Harassment Act and Section 4 of Dowry Prohibition Act, in Crime No.122 of 2025, registered on the file of the respondent, seeks bail.

2. The case of the prosecution is that the petitioner herein is the husband of the victim, who fell from the terrace of the first floor and sustained a fracture injury. This incident occurred on 03.06.2025 and the father of the victim had given a complaint about 40 days later, alleging that his daughter was pushed down from the terrace by this petitioner in connection with a dowry demand. Hence, the present complaint.

3. The learned counsel appearing for the petitioner submitted that the victim had accidentally fallen from the first floor terrace and she was taken to the hospital by the petitioner himself. Unfortunately, her father lodged a complaint after 40 days, alleging that the petitioner herein had pushed her. He further submitted that the petitioner is ready to abide any stringent conditions that may be imposed by this Court.

4. The learned Government Advocate (crl.Side) appearing for the



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respondent police opposed the grant of bail to the petitioner and submitted that the injured was admitted in the C.M.C. Hospital, Ranipet, on 04.06.2025 and was discharged on 22.06.2025. It was only after her discharge the defacto complainant came to know about the overt act of the petitioner. He further submitted that the investigation is still pending.

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

6. Considering the said submission and the nature of the complaint, this Court is inclined to grant bail to the petitioner, subject to certain conditions.

7. Accordingly, the petitioner is ordered to be released on bail on his executing a bond for a sum of **Rs.25,000/- (Rupees Twenty Five Thousand only)** with **two sureties**, each for a like sum to the satisfaction of the learned **Judicial Magistrate (Additional Mahila), Vellore** and on further conditions that:

[a] the sureties shall affix their photographs and
Left Thumb Impression in the Application for Surety ship



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[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 daily at 10.30 a.m., until further orders;

[c] 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]**;

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

22.08.2025

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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



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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 (Additional Mahila), Vellore
- 2.The Inspector of Police,
Ariyur Police Station,
Tamil Nadu.
- 3.Central Prison, Cuddalore.
- 4.The Public Prosecutor,
High Court of Madras.



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Dr.G.JAYACHANDRAN, J.

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