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Crl.O.P.No.27697 of 2025



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 10-10-2025

CORAM

THE HONOURABLE MR JUSTICE K. RAJASEKAR

CRL OP NO.27697 of 2025

Murugesan

... Petitioner/ Accused

Vs

The State rep. by,
The Inspector of Police,
Elachipalayam Police Station,
Tirchengode, Namakkal District.
(Crime No.137 of 2025)

... Respondent

PRAYER : Criminal Original Petition filed under Section 483 of Bharatiya
Nagarik Suraksha Sanhita, 2023, to grant bail to the petitioner/accused in
Crime No.137 of 2025 on the file of the respondent police.

For Petitioner(s) : Mr. Sushil Rajkumar J.

For Intervener : Mr. S. Sankar

For Respondent(s) : Mr. A. Gopinath
Government Advocate (Crl. Side)



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ORDER

The petitioner, who was arrested and remanded to judicial custody on 22.08.2025, for the offences punishable under Section 79 of BNSS and Section 4 of Tamil Nadu Prohibition of Harassment of Women Act, 2002 in Crime No.137 of 2025, registered on the file of the respondent police, seeks bail.

2. The case of the prosecution is that on account of business enmity, the petitioner herein sent abusing videos and messages about the defacto complainant and her husband online, with an intention to outrage the modesty of the defacto complainant by depicting her as a prostitute and her husband as a murderer to her relatives and friends; that thereby causing damage to their reputation among their family members and in society. Hence, this case.

3. The learned counsel appearing for the petitioner submitted that on account of business enmity, the defacto complainant had lodged a false complaint against the petitioner. He further submitted that the petitioner



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had given several police complaint against the atrocious castiest activities of the defacto complainant's husband and in order to wreck vengeance the present complaint was lodged. He further submitted that the petitioner is in custody since 22.08.2025 and he is ready to abide by any conditions that may be imposed by this Court and sought for bail to the petitioner.

4. The learned counsel appearing for the intervener raised strong objection for grant of bail to the petitioner by stating that the petitioner continuously spreading false information regarding the defacto complainant and her husband in social media pages and by using wall posters; that further contacted the defacto complainant through phone call, abused her in a filthy language and also threatened her with dire consequences to withdraw the complaint.

5. The learned Government Advocate (Criminal Side) appearing for the respondent while opposing the bail to the petitioner, reiterated the prosecution case and stated that the mobile phone of the petitioner is recovered; and that the investigation is pending.



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6. Considering the facts of the case, the fact that the mobile phone of the petitioner was recovered, taking note of the fact that this is not the case involving any obscene or morphed images 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.15,000/- (Rupees Fifteen Thousand only)** with **two sureties each**, for a like sum to the satisfaction of the **learned Judicial Magistrate, Tiruchengode** 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 the respondent police daily at 10:30 a.m., for a period of one week and thereafter, as and when required for interrogation;**

[c] On breach of any of the aforementioned conditions,



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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.

10.10.2025

stn

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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K. RAJASEKAR, J.

stn

To

1. The Judicial Magistrate,
Tiruchengode.
2. The Inspector of Police,
Elachipalayam Police Station,
Tirchengode, Namakkal District.
(Crime No.137 of 2025)
3. The Superintendent,
Central Prison, Salem.
4. The Public Prosecutor,
High Court of Madras.

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