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Crl.OP.No.29761 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 03.11.2025

CORAM

THE HONOURABLE MR JUSTICE **K.RAJASEKAR**

Crl.OP.No.29761 of 2025

Sakthivel

... Petitioner

Vs.

State rep by,
The Inspector of Police,
Nangavalli Police Station,
Salem District.
(Crime No. 87 of 2025).

... Respondent

PRAYER: Criminal Original Petition filed under Section 483 of B.N.S.S.,
pleaded to enlarge the petitioner on bail in Cr.No.87 of 2025 on the file of
the respondent.

For Petitioner : Mr.C.Deepak Kumar

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

ORDER

The petitioner, who was arrested and remanded to judicial custody on
11.07.2025, for the offences punishable under Sections 296(b), 115(2), 74,
351(3), 75(1)(i)(ii) r/w 75(2), 75(iv) r/w 75(3) of BNS in Crime No.87 of



2025, registered on the file respondent police, seeks bail. The earlier bail petitions of the petitioner was dismissed by this Court, vide order dated 22.08.2025 and 16.09.2025 respectively.

2.The case of the prosecution is that the petitioner is the relative of the defacto complainant's husband and on account of previous enmity, the petitioner pelted stones on the doors and windows of the defacto complainant's house, abused the defacto complainant in filthy language, pulled and hugged her, while the same was questioned by the defacto complainant's father-in-law, the petitioner had assaulted him with hands and threatened him of dire consequences. Hence, this case.

3.The learned counsel appearing for the petitioner submitted that the petitioner is innocent and he has not committed any offence as alleged by the prosecution and on account of family dispute, a false case has been lodged against the petitioner. He further submitted that the petitioner is ready to abide by any conditions that may be imposed by this Court and sought for bail to the petitioner.



4. The learned Government Advocate (Criminal Side) appearing for the respondent while opposing the bail to the petitioner, reiterated the prosecution case and states that the petitioner is having two previous cases. He further stated that the defacto complainant's husband is a witness to a criminal case registered against the petitioner and due to which, the petitioner abused, assaulted and criminally intimidated the defacto complainant's family members.

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

6. It is also stated that earlier petitioner's bail petition was dismissed on 16.09.2025 in Crl.O.P.No25342 of 2025 and now in this case, it is reported that final report filed.

7. Considering the change in circumstances and the period of incarceration undergone by the petitioner, I am inclined to grant bail to the petitioner subject to the following conditions:



8. 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-I, Mettur** 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 Judicial Magistrate Court-I, Mettur at 10.30 a.m for a period of three weeks and thereafter as and when required for 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



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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.

03.11.2025

Vv

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.

To

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1. The **Judicial Magistrate-I, Mettur**

2. The Inspector of Police,
Nangavalli Police Station,
Salem District.

3. The Central Prison, Salem.

4. The Public Prosecutor,
High Court of Madras.



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K.RAJASEKAR, J.

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