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Crl.O.P.No.29931 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 04.11.2025

CORAM

THE HONOURABLE MR. JUSTICE K.RAJASEKAR

Crl.O.P.No.29931 of 2025

M.Jayabal

... Petitioner

Vs.

The State represented by
The Inspector of Police,
Vishnukanchi Police Station,
Kanchipuram District.
(Crime No.230 of 2025)

... Respondent

PRAYER : Criminal Original Petition filed under Section 483 of Bharatiya
Nagarik Suraksha Sanhita, 2023, to enlarge the Petitioner/Accused on bail in
Crime No.230 of 2025 on the file of the respondent police.

For Petitioner : Mr.S.Doraiswamy

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

ORDER

The petitioner, who was arrested and remanded to judicial custody
on 14.10.2025, for the offence punishable under Sections 75, 79 of BNS,
2023 and Section 4 of The Prohibition of Harassment of Women Act, 2002
in Crime No.230 of 2025 registered on the file of the respondent, seeks bail.



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2. The allegation against the petitioner is the while he attempted to contest in the election, the defacto complainant, who was an Election Officer, refused to accept his nomination since already disciplinary proceedings were initiated against the petitioner, enraged over the same, petitioner had sent abusive messages against the defacto complainant in the whatsapp causing insult to the defacto complainant. Hence, the complaint.

3. The learned counsel appearing for the petitioner submitted that the no allegation has been made out in the FIR. Hence, he prays to grant bail to the petitioner.

4. Learned Government Advocate (Crl.Side) appearing for the respondent police opposed the grant of bail to the petitioner, reiterating the prosecution case and submitted that the investigation in this case has not yet been completed.

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



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6. Considering the nature of offence and taking into account the 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.20,000/- (Rupees Twenty Thousand only)** with **two sureties**, each for a like sum to the satisfaction of the learned **Judicial Magistrate No.I, Kancheepuram**, 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 concerned Judicial Magistrate on all working day 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



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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 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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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. Judicial Magistrate No.I, Kancheepuram
2. The Inspector of Police,
Vishnukanchi Police Station,
Kanchipuram District.
3. The Sub Jail, Kanchipuram
4. The Public Prosecutor,
High Court of Madras.

K.RAJASEKAR, J.



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