



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 10-11-2025

CORAM

THE HONOURABLE MR.JUSTICE K.RAJASEKAR

CRL OP No. 30624 of 2025

VAIRAMUDI

Petitioner(s)

Vs

State rep by the Inspector of Police
Deevattipatty Police Station, Salem
District Cr.No.543 of 2025

Respondent(s)

PRAYER Criminal Original Petition filed under Section 482 of Bharatiya Nagarik Suraksha Sanhita, 2023, to enlarge the petitioner on bail in Cr.No.543 of 2025 on the file of the respondent police.

For Petitioner

Mr.W.Camyles Gandhi

For Respondent(s):

Mr. A. Gopinath
Government Advocate (Crl. Side)

**ORDER**

The petitioner, who was arrested and remanded to judicial custody on 26.10.2025 by the respondent police in connection with Crime No.543 of 2025 for the offences punishable under Sections 296(b), 75(2), 115(2), 351(3) of BNS, r/w Section 4 of TNPHW Act, seek bail.

2.The case of the prosecution is that the petitioner is the brother of the defacto complainant's husband Late Lakshmanan. There is previous enmity between the defacto complainant and the petitioner regarding money transaction and hence, the petitioner often under the influence of intoxication developed quarrel with the defacto complainant and abused her in filthy language and threatened her. While so, on 25.10.2025 at about 03.00 p.m., the petitioner came to the defacto complainant's house and in the presence of her children pulled her and tried to misbehave with her and abused her in filthy language and called her to share bed and assaulted her with hands. Then he threatened the defacto complainant saying if she did not do as demanded by him, he will kill her children. Hence, the case.



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3.The learned counsel for the petitioner submitted that the petitioner has not committed any offence and he is falsely implicated in this case; the defacto complainant did not sustain any injuries and she was not admitted in the hospital; for the past ten days, the petitioner is in judicial custody and prayed to enlarge the petitioner on bail.

4.The learned Government Advocate (Crl.side) for the respondent police reiterated the prosecution and submitted that at the time of alleged occurrence, in the presence of children of the defacto complainant, the petitioner under the influence of intoxication pulled the hand of the defacto complainant and tried to misbehave with her and abused her and called her to share bed and also threatened her. He further submitted that there is no previous cases pending against the petitioner and the investigation is pending, hence, he strongly opposed for grant of bail to the petitioner.

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



6. Considering the fact that injured victim discharged from the hospital, there is no previous cases pending against the petitioner 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.15,000/- (Rupees Fifteen Thousand only)** with **two sureties**, each for a like sum to the satisfaction of the learned **Judicial Magistrate, Omalur**, 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 respondent police daily at 10.30 a.m. for a period of four 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



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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.

10-11-2025

gbi

Index: Yes/No

Speaking/Non-speaking order

Internet: Yes

Neutral Citation: Yes/No

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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To

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- 1.State rep by the Inspector of Police
Deevattipatty Police Station, Salem
District Cr.No.543 of 2025
- 2.The Judicial Magistrate, Omalur.
- 3.The Central Prison, Salem.
- 4.The Public Prosecutor, High Court of
Madras.



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K.RAJASEKAR J.
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