



Crl.O.P.No.31357 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 18.11.2025

CORAM

THE HONOURABLE Mr. JUSTICE K. RAJASEKAR

Crl.O.P.No.31357 of 2025

Arivu @ Arivazhagan

... Petitioner

Vs.

The State of Tamil Nadu Rep. by its,
The Inspector of Police,
Villupuram Town Police Station,
Villupuram District.
(Crime No.319 of 2024)

... Respondent

PRAYER : Criminal Miscellaneous Petition filed under Section 528 of Bharatiya Nagarik Suraksha Sanhita, 2023, to set aside the order passed by the learned Principal Sessions Judge, Villupuram in CMP.No.4743 of 2025 dated 05.11.2025 and relax the condition that petitioner/accused is not to be present in Villupuram District except during court proceedings against him that too if it is necessary and if it is mandatory for appearance and whether he come to Villupuram District he is directed to sign before Town PS, Villupuram until further orders and forthwith to move from the district to avoid unavoidable situation which creates law and order issues since there is threatening to him and by him to others reported by the prosecution imposed on the petitioner in Crl.M.P.No.895 of 2024 dated 22.07.2024 on the file of the learned Judicial Magistrate (FAC), Additional Mahila Court, Villupuram.

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



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Crl.O.P.No.31357 of 2025

ORDER

This Criminal Original Petition has been filed by the petitioner/accused seeking (i) to set aside the order passed by the learned Principal Sessions Judge, Villupuram in C.M.P.No.4743 of 2025 dated 05.11.2025 consequently seeking modification of bail conditions and (ii) to relax the condition No.5 imposed on the petitioner/accused in Crl.M.P.No.895 of 2024 dated 22.07.2024 on the file of the learned Judicial Magistrate (FAC), Additional Mahila Court, Villupuram.

2. The allegation against the petitioner is that the petitioner along with other accused had abused the Sub-Inspector of police and threatened them with dire consequences.

3. The learned counsel appearing for the petitioner/accused submitted that, after considering the above allegation, the learned Additional Mahila Judge, Villupuram granted bail to the petitioner herein, after taking into account, the period of his custody. He further submitted that the petitioner/accused is complying the condition regularly till date and he undertakes that he will not directly or indirectly make any inducement, threat or promise to any person acquainted with the facts of the case and he is willing to



abide by any condition that may be imposed by this Court. Hence, he prays to to set aside the order passed by the learned Principal Sessions Judge, Villupuram in C.M.P.No.4743 of 2025 dated 05.11.2025 and to relax the condition No.5 imposed on the petitioner/accused in Crl.M.P.No.895 of 2024 dated 22.07.2024 on the file of the learned Judicial Magistrate (FAC), Additional Mahila Court, Villupuram.

4. The learned Government Advocate (Crl.Side) appearing for the respondent reiterated the prosecution case and on instructions submitted that the investigation is completed and final report also filed and the same was taken on file in C.C.No.5 of 2025 on the file of the learned Judicial Magistrate, Additional Mahila Court, Villupuram. However, he prays to dismiss the petition.

5. I have heard the submissions made on both sides and perused the records.

6. On perusal of the records, it reveals that since the petitioner has got bad antecedents, the learned Judicial Magistrate (FAC), Additional Mahila



Court, Villupuram imposed the condition No.5 directing him not to be present in Villupuram District in Crl.M.P.No.895 of 2024, dated 22.07.2024 while granting bail to the petitioner. This Court is of the view that the condition No.5 imposed on the petitioner is to be modified since it is stated that the petitioner is having 45 previous cases against him.

7. Considering the facts and circumstances of the case, the order passed by learned Principal Sessions Judge, Villupuram in C.M.P.No.4743 of 2025 dated 05.11.2025 is hereby set aside and the petitioner is directed to comply with the bail conditions imposed by the learned Judicial Magistrate (FAC), Additional Mahila Court, Villupuram in Crl.M.P.No.895 of 2024, dated 22.07.2024 except condition No.5.

8. Accordingly, the condition No.5 imposed on the petitioner in Crl.M.P.No.895 of 2024, dated 22.07.2024 is modified as follows:

“5. the petitioner/accused is not to be present in Villupuram District except during Court proceedings against him that too if it is necessary and if it is mandatory for appearance and forthwith to move from the district to avoid unavoidable situation which creates law and order issues since there is threatening to him and by him to others reported by the



CrI.O.P.No.31357 of 2025

prosecution and that the petitioner shall stay at Tiruvannamalai and appear before the Judicial Magistrate No.1, Tiruvannamalai daily at 10.30 a.m., until further orders” except on the date of trial that too as and when the petitioner's appearance is mandatory before the Trial Court.”

18.11.2025

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To

- 1.The Judicial Magistrate (FAC), Additional Mahila Court,
Villupuram.
- 2.The learned Principal Sessions Judge,
Villupuram.
- 3.The Inspector of Police,
Villupuram Town Police Station,
Villupuram District.
- 4.The Public Prosecutor,
High Court of Madras.

K.RAJASEKAR, J.



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Crl.O.P.No.31357 of 2025

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Crl.O.P.No.31357 of 2025

18.11.2025