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Crl.O.P.No.33835 of 202



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 10-12-2025

CORAM

THE HONOURABLE MR JUSTICE K. RAJASEKAR

CRL OP NO.33835 of 2025

Dhanapal

... Petitioner/ Accused

Vs

The State rep. by,
The Inspector of Police,
Attaiyampatty Police Station,
Salem City.
(Crime No.290 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.290 of 2025 on the file of the respondent police.

For Petitioner(s) : Mr. L. Mouli

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



ORDER

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The petitioner, who was arrested and remanded to judicial custody on 30.09.2025 for the alleged offence punishable under Sections 296(b), 109, 249 and 250 of BNS and Section 4 of Tamil Nadu Prohibition of Harassment of Women Act, 2002 in Crime No.290 of 2025 on the file of the respondent police, seeks bail. The earlier bail application of the petitioner was dismissed by this Court, vide order 29.10.2025 in Crl.O.P.No.29448 of 2025.

2. The allegation against the petitioner herein is that, the petitioner is the husband of the defacto complainant, who had harassed and caused severe mental agony to the defacto complainant; that thereby, the defacto complainant attempted to commit suicide, hence a criminal case was registered in Crime No.257 of 2025 and the petitioner herein was arrested and subsequently, released on bail in that case; that enraged over the same, the petitioner went to the defacto complainant's home on 21.08.2025, attacked her and her son indiscriminately and caused severe injuries to them. Hence, this present case.

3. The learned counsel appearing for petitioner submitted that the petitioner is in judicial custody since 30.09.2025; that the petitioner is



suffering from chronic liver disease; and that the petitioner is ready to abide by any condition that may be imposed by this Court and sought for bail to the petitioner.

4. The learned Government Advocate (Crl. Side) appearing for respondent while opposing the bail to the petitioner reiterated the prosecution case and submitted that the injured discharged from the hospital and the investigation of this case is pending.

5. Considering the submissions made, facts and circumstances of the case, the fact that the injured discharged from the hospital and also considering the period of incarceration undergone by the petitioner, this Court is inclined to grant bail to the petitioner with certain conditions.

6. 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 Additional Mahila Court, Salem** 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 stay at Cuddalore and report before the learned Judicial Magistrate-I, Cuddalore daily at 10:30 a.m., until further orders. It is made clear that the petitioner shall not enter the jurisdictional limit of the respondent police;

[c] 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];**

[d] If the accused thereafter absconds, a fresh FIR can be registered under Section 269 of B.N.S.

10.12.2025

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.

To

1. The Additional Mahila Judge, Salem.
2. The Judicial Magistrate-I, Cuddalore.
3. The Inspector of Police,
Attaiyampatty Police Station,
Salem City.
(Crime No.290 of 2025)
4. The Superintendent,
Central Prison, Salem.
5. The Public Prosecutor,
High Court of Madras.

K. RAJASEKAR, J.

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