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Crl.O.P.No.32969 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: **02.12.2025**

CORAM

THE HONOURABLE MR JUSTICE K. RAJASEKAR

CRL OP NO.32969 of 2025

Ragu @ Raghupathy

... Petitioner/ Accused

Vs

The State rep. by,
The Station House Officer,
Thirunallar Police Station, Karaikal,
Karaikal District.
(Crime No.124 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.124 of 2025 on the file of the respondent police.

For Petitioner(s) : Mr. P. Muthamizhselvakumar

For Respondent(s) : Mr. M.V.Ramachandra Murthy
Public Prosecutor (Puducherry)



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Crl.O.P.No.32969 of 2025

ORDER

The petitioner, who was arrested and remanded to judicial custody on 18.09.2025, for the offences punishable under Sections 296(b), 332, 109, 118(1) r/w 3(5) of BNS in Crime No.124 of 2025, registered on the file of the respondent police, seeks bail.

2. This is the second bail application. The case of the prosecution is that, the defacto complainant was attacked and assaulted by the accused persons, since the defacto complainant tendered evidence in a POCSO case against one of the accused namely Nandha @ Nanda Kumar in Crime No.41 of 2025; that upon investigation, it is revealed that the petitioner herein was involved in conspiring with other accused, informed about the movement of the defacto complainant and helped other accused persons in assaulting the defacto complainant. Hence, this case.



3. The learned counsel appearing for the petitioner submitted that the petitioner has been falsely implicated in this case and he is in judicial custody since 18.09.2025. He submitted that the petitioner has no bad antecedents and subsequent to the dismissal of the earlier bail application two other accused have already been released on bail by the learned Sessions Court. He further submitted that the petitioner is not a named accused in the FIR; and 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 Public Prosecutor (Puducherry) appearing for the respondent while opposing the bail to the petitioner, reiterated the prosecution case and submitted that the defacto complainant, who tendered evidence against the accused namely Nandha @ Nandhakumar in a POCSO case was threatened and assaulted; that the defacto complainant was severely injured and he was discharged from the hospital, that during the preliminary enquiry, it is revealed that the petitioner herein conspired with other accused and helped them to assault the defacto complainant.



5. Considering the submissions made on either side, the petitioner is in judicial custody from 18.09.2025 and since the injured has been discharged from the hospital, I am inclined to grant bail to the petitioner subject to 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**, for a like sum to the satisfaction of the learned **Judicial Magistrate Court, Karaikal** 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 Puducherry and report before the Odiansalai Police Station daily at 10.30 a.m for a period of three weeks and thereafter as and when required for interrogation;



Crl.O.P.No.32969 of 2025

[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 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.

02.12.2025

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Crl.O.P.No.32969 of 2025

To

WEB COPY

1. The Station House Officer,
Thirunallar Police Station, Karaikal,
Karaikal District.
(Crime No.124 of 2025)
2. The Public Prosecutor (Puducherry),
High Court of Madras.
3. The Judicial Magistrate Court, Karaikal.
4. The District Prison-Karaikal.



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Crl.O.P.No.32969 of 2025

K. RAJASEKAR, J.

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Crl.O.P. No.32969 of 2025



WEB COPY



Crl.O.P.No.32969 of 2025

02.12.2025