



CRL OP(MD). No.1306 of 2025

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 24.01.2025

PRESENT

The Hon`ble Mr.Justice N.ANAND VENKATESH

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Thenmalai Thenkumaran

... Petitioner / Sole Accused

Vs

The State of Tamil Nadu
represented by The Inspector of Police,
All Women Police Station,
Pudukottai,
Thoothukudi District.
(Crime No.18 of 2024)

... Respondent / Complainant

For Petitioner : Mr.A.D.Ganeshamoorthi
Advocate.

For Respondent : Mr.S.Ravi,
Additional Public Prosecutor

For Intervenor : Mr.N.Pragalathan, Advocate

PETITION FOR BAIL Under Sec.483 of BNSS,2023.

PRAYER :-

For Bail in Crime No.18 of 2024 on the file of the respondent Police.

<https://www.mhc.tn.gov.in/judis>



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ORDER : The Court made the following order :-

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The petitioner / Accused, who was arrested and remanded to judicial custody on 27.12.2024 for the alleged offences under Sections 75 of BNS and Section 4 of TNPHW Act, in Crime No.18 of 2024, on the file of the respondent police, seeks bail.

2. The case of the prosecution is that the petitioner, who is the neighbour of the defacto complainant is said to have continuously harassed the defacto complainant by making lured comments and singing songs whenever she crosses the place. On one occasion, petitioner also attempted to dash her with his two-wheeler

3. Heard the learned counsel on either side and perused the material records of the case.

4. Taking into consideration the facts and circumstances of the case and considering the nature of allegations made against the petitioner and taking note of the fact that the petitioner has suffered incarceration from 27.12.2024 and also taking note of the fact that the petitioner has eight previous cases, this Court is inclined to grant bail to the petitioner subject to the following conditions:



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5. Accordingly, the petitioner is ordered to be released on bail on his executing a bond for a sum of Rs.10,000/- (Rupees ten thousand only) with two sureties, each for a like sum to the satisfaction of the learned Judicial Magistrate No.III, Thoothukudi and on further conditions that:-

[a] the sureties shall affix their photographs and Left Thumb Impression in the surety bond and the Magistrate may obtain a copy of their Aadhar card or Bank pass Book to ensure their identity.

[b] the petitioner shall report before the respondent police on every Friday at 10.30.a.m., until further orders.

[c] the petitioner shall not tamper with evidence or witness either during investigation or trial.

[d] the petitioner shall not abscond either during investigation or trial.

[e] On breach of any of the aforesaid conditions, the learned Magistrate/Trial Court is entitled to take appropriate action against the petitioner in accordance with law as if the 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)AIR SCW 5560].

[f] If the accused thereafter absconds, a fresh FIR can be registered under Section 269 of BNS, 2023.



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[g] the petitioner shall file an affidavit before the Court below by specifically indicating that he will not go anywhere near the defacto complainant in future and cause any threat or harass her.

sd/-
24/01/2025

/ TRUE COPY /

24/01/2025
Sub-Assistant Registrar (AE)
Madurai Bench of Madras High Court,
Madurai - 625 023.

sma

TO

1. THE JUDICIAL MAGISTRATE NO.III, THOOTHUKUDI
- 2 DO THROUGH THE CHIEF JUDICIAL MAGISTRATE,
THOOTHUKUDI.
- 3.THE OFFICER IN CHARGE, ,
DISTRICT PRISON AT PEROORANI, THOOTHUKUDI DISTRICT.
4. THE INSPECTOR OF POLICE,
ALL WOMEN POLICE STATION,
PUDUKOTTAI,
THOOTHUKUDI DISTRICT.
- 5.THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT,
MADURAI.

+1 CC to M/s.A.D.GANESA MOORTHY, Advocate (SR-786[I] dated 24/01/2025)



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ORDER
IN
CRL OP(MD) No.1306 of 2025
Date :24/01/2025

RK (24/01/2025) 5P / 7C

Madurai Bench of Madras High Court is issuing certified copies in this format from
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