



CRL OP(MD). No.1695 of 2025

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT
(Criminal Jurisdiction)

Date : 03/02/2025

PRESENT

The HONOURABLE MR. JUSTICE R. SAKTHIVEL

CRL OP(MD). No.1695 of 2025

Subramanian

... Petitioner/Sole Accused

Vs

The State of Tamil Nadu,,
Rep. by the Inspector of Police,
Ayikudi Police Station,
Tenkasi District.
(Crime No. 7 of 2025).

... Respondent/Complainant

For Petitioner : Mr.D.Rajaboopathy, Advocate

For Respondent : Mr.R.Meenakshi Sundaram,
Additional Public Prosecutor

PETITION FOR BAIL Under Sec.483 of BNSS

PRAYER :-

For Bail in Crime No.7 of 2025 on the file of the respondent police.

ORDER : The Court made the following order :-

This Criminal Original Petition has been filed by the petitioner on 23.01.2025
under Section 483 of the Bharatiya Nagarik Suraksha Sanhita (BNSS) praying to



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grant bail.

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2. The petitioner/ accused was arrested and remanded to judicial custody on 08.01.2025 for the alleged offences punishable under Sections 333, 75 and 115(2) of Bharatiya Nyaya Sanhita (BNS), in Crime No.7 of 2025 on the file of the respondent police.

3. The case of the prosecution is that due to previous motive, on 07.01.2025, the petitioner trespassed into the defacto complainant's house in odd hours and attempted to misbehave with her and also assaulted her using wooden log and caused injuries. Hence the case.

4. The learned counsel appearing for the petitioner submitted that the petitioner is innocent and he is in no way connected to the alleged offence. Due to pathway dispute, a false case has been foisted against the petitioner. He further submitted that the petitioner is in judicial custody since 08.01.2025, who is aged about 59 years. He therefore prayed to grant bail to the petitioner.

5. The learned Additional Public Prosecutor appearing for the respondent police submitted that the victim is aged about 60 years and the petitioner is aged about 59 years. He fairly submitted that there are no previous cases pending against the petitioner. However, he prayed to dismiss this Criminal Original Petition since the petitioner has tried to misbehave with victim at odd hours.



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6. Heard on both sides. This Court has perused the records.

7. The petitioner was arrested on 08.01.2025 and is in judicial custody.

Considering the nature of the offence alleged and the fact that the petitioner is the first offender. The petitioner has a permanent residence and deep roots in the society. Hence, there is less possibility of absconding. Hence, with a view to give one more opportunity to reform himself, this Court is inclined to grant bail to the petitioner, however, subject to certain conditions. Accordingly, bail is granted to the petitioner subject to the following conditions:

(i) The petitioner shall execute a bond for Rs.25,000/- (Rupees Twenty Five Thousand only) along with two sureties each for a like sum of Rs.20,000/- (Rupees Twenty Thousand Only) to the satisfaction of the learned Judicial Magistrate, Tenkasi. Among two sureties one shall be a blood surety.

(ii) The sureties shall affix their photographs and left thumb impression in the Application for Suretyship [Judicial Form No.46 annexed to 'The Criminal Rules of Practice, 2019']. The learned Judicial Magistrate shall obtain a copy of any one of identity proofs to ensure their identity;

(iii) The petitioner shall furnish his residence address and mobile number:

(iv) The petitioner shall appear and sign before the respondent police, daily at 10.00 a.m., until further orders;



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(v) The petitioner should not enter into the suit village and should not contact the defacto complainant either directly or through any electronic means.

(vi) The petitioner shall not, directly or indirectly, cause any threat to the defacto complainant and witnesses and shall not tamper the evidence;

(vii) On breach of any of the aforementioned conditions, the learned Judicial Magistrate is entitled to pass appropriate orders against the petitioner in accordance with law as if the aforementioned conditions are imposed by him as laid down by the Hon'ble Supreme Court in P.K. Shaji vs. State of Kerala [(2005) 13 SCC 283].

8. Accordingly, this Criminal Original Petition is allowed subject to the conditions stated supra.

sd/-
03/02/2025

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03/02/2025
Sub-Assistant Registrar
(C.S.I /II /III /IV)
Madurai Bench of Madras High Court,
Madurai - 625 023.

LR

To

1.The Judicial Magistrate,
Tenkasi.



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2.Do through the Chief Judicial Magistrate,
Tenkasi District.

3.The Inspector of Police,
Ayikudi Police Station,
Tenkasi District.

4.The Officer Incharge,
Sub Jail, Tenkasi

5.The Additional Public Prosecutor,
Madurai Bench of Madras High Court, Madurai.

ORDER
IN
CRL OP(MD) No.1695 of 2025
Date :03/02/2025

ED/ /SAR- (03/02/2025) 5P / 6C

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