



CRL.OP(MD).No.2075 of 2025

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 13.03.2025

PRESENT

THE HON'BLE MR.JUSTICE R.SAKTHIVEL

CRL.OP(MD).No.2075 of 2025

K.Naveen Kumar

... Petitioner / Accused No.1

Vs.

The State of Tamil Nadu rep by
The Inspector of Police,
All Women Police Station Madurai City,
Madurai District.
(Crime No.13 of 2024)

... Respondent / Complainant

PRAYER :- The Criminal Original Petition filed under Section 482 of the Bharatiya
Nagarik Suraksha Sanhita (BNSS), 2023 praying to grant pre-arrest bail to the
petitioner in Crime No.13 of 2024 on the file of the respondent-police.

For Petitioner : Mr.R.L.Dhilipan Pandian,
Advocate.

For Respondent : Mr.K.Sanjai Gandhi,
Government Advocate
(Criminal Side)

ORDER : The Court made the following order :-

This Criminal Original Petition has been filed by the petitioner on 29.01.2025

<https://www.mhc.tn.gov.in/judis> under Section 482 of the Bharatiya Nagarik Suraksha Sanhita (BNSS), 2023, praying to



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grant an order of pre-arrest bail.

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2. The petitioner apprehends arrest at the hands of the respondent- police for the offence punishable under Sections 493, 506(ii) of IPC and Section 4 of the Tamilnadu Prohibition of Harassment of Women Act, in Crime No.13 of 2024 on the file of the respondent-police.

3. The case of the prosecution is that the petitioner was in an extramarital relationship with the defacto complainant, who is already married and has three female children by giving false promise that he would marry her and videographed the same. Thereafter, the petitioner started to threaten her by showing those videos and also got her jewels, money, etc. Hence, the complaint.

4. Mr.R.L.Dhilipan Pandian, the learned counsel for the petitioner, submits that the petitioner is innocent person and he has not committed any offence as alleged by the prosecution. He further submits that the petitioner appeared before the respondent-police and co-operated with the investigation agency and surrendered his mobile phone. He further submits that the petitioner is ready to abide by any conditions that may be imposed by this Court and accordingly, he prays for grant of pre-arrest bail.

5. Per contra, Mr.K.Sanjai Gandhi, the learned Government Advocate (Criminal Side) appearing for the respondent-police, submits that the petitioner was involved



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in an extramarital affair with the defacto complainant, videographed the same, started threatening her by showing those videos, and also got her jewels and money.

He further submits that the petitioner appeared before the respondent-police and surrendered his mobile phone before the respondent-police. He further contends that if pre-arrest bail is granted to the petitioner, he may cause threat to the defacto complainant and her family members and therefore, custodial interrogation of the petitioner is necessary in this case. Accordingly, he prays to dismiss this Criminal Original Petition.

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

7. The petitioner has permanent residence. Hence, there is less possibility of absconding. Considering the same and also considering the facts and circumstances of the case, the nature of the offence allegedly committed by the petitioner and also taking note of the fact that the petitioner has no previous cases and he has been co-operating with the investigation agency and with a view to give an opportunity to the petitioner to reform himself, this Court is inclined to grant pre-arrest bail to the petitioner. Accordingly, pre-arrest bail is granted to the petitioner subject to the following conditions:

(i) The petitioner shall be released on pre-arrest bail in the event of his arrest or in the event of his surrender before the learned Judicial Magistrate No.V, Madurai,



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within a period of 15 days from the date on which the order copy is made ready, on
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executing a bond for a sum of Rs.25,000/- (Rupees Twenty Five Thousand only)
along with two sureties each for a like sum of Rs.25,000/- (Rupees Twenty Five
Thousand only) to the satisfaction of the learned Judicial Magistrate No.V, Madurai.

(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.

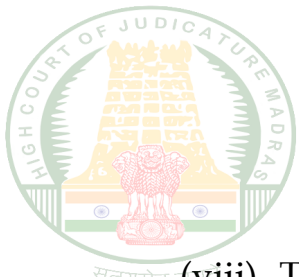
(iii) The petitioner shall appear and sign before the respondent-police daily at
10.00 a.m. until further orders.

(iv) The petitioner shall make himself available for interrogation by a police
officer as and when required.

(v) The petitioner shall not, directly or indirectly, make any inducement, threat
or promise to any person acquainted with the facts of the case so as to dissuade him
from disclosing such facts to the Court or to any police officer.

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

(vii) The petitioner shall not leave India without the previous permission of the
Court.



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(viii) The petitioner shall furnish his residential address and mobile number to the concerned Magistrate.

(ix) The petitioner shall not enter into the defacto complainant's house or her working place.

(x) The petitioner shall also not try to contact the defacto complainant and her family members either directly or through any electronic mode.

(xi) On breach of any of the aforementioned conditions, the learned Judicial Magistrate or Trial Court, as the case may be, 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/-
13/03/2025

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



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TO मेव जयते

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- 1 THE JUDICIAL MAGISTRATE NO.V
MADURAI
- 2 DO-THROUGH :
THE CHIEF JUDICIAL MAGISTRATE,
MADURAI DISTRICT.
- 3 THE INSPECTOR OF POLICE
ALL WOMEN POLICE STATION MADURAI CITY,
MADURAI DISTRICT.
- 4 THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.

ORDER
IN

CRL OP(MD) No.2075 of 2025

Date :13/03/2025

HPS/SAR / 28.03.2025/6P/5C

Madurai Bench of Madras High Court is issuing certified copies in this format from 17/07/2023.