



CRL OP(MD). No.2145 of 2025

WEB COPY 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.2145 of 2025

Arun Pandiyan

... Petitioner/ Accused

Vs

The Inspector of Police,
Rep by the Inspector of Police,
All Women Police Station
Peraiyur Police Station,
Madurai District.
(Crime No.2/2025).

... Respondent/Complainant

For Petitioner : M/s.Sundarapandian.S.S.,

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

PETITION FOR BAIL Under Sec.483 of BNSS

PRAYER :-

For Bail in Crime No.2/2025 on the file of the respondent Police.



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ORDER : The Court made the following order :-

This Criminal Original Petition has been filed by the petitioner on 30.01.2025 under Section 483 of the Bharatiya Nagarik Suraksha Sanhita (BNSS) praying to grant bail.

2. The petitioner/ accused was arrested and remanded to judicial custody on 09.01.2025 for the alleged offences punishable under Sections 318(2), 64, 296(b) and 351(2) of Bharatiya Nyaya Sanhita (BNS), in Crime No.02 of 2025 on the file of the respondent police.

3. The case of the prosecution is that on the petitioner and defacto complainant loved each other and had physical relationship. Later, the petitioner refused to marry her. Hence the case.

4. The learned counsel appearing for the petitioner submitted that the petitioner and the defacto complainant loved each other and with the consent of the defacto complainant, the petitioner had physical relationship with her, who is a well educated woman. He further submitted that the petitioner is in judicial custody since 09.01.2025. He therefore prayed to grant bail to the petitioner.



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5. The learned Additional Public Prosecutor appearing for the respondent police submitted that both of them loved each other for four years. However, after having physical relationship with the defacto complainant, the petitioner refused to marry her. Accordingly, he prayed to dismiss this Criminal Original Petition.

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

7. The petitioner was arrested on 09.01.2025. The petitioner has a permanent residence and deep roots in the society. Hence, there is less possibility of absconding. Considering the facts and circumstances of the case and also the period of incarceration, 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, Peraiyur**. 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;



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(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., till 28.02.2025;**

(v) The petitioner shall not enter into the defacto complainant's house or her work place;

(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



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TO COPY

- 1 THE JUDICIAL MAGISTRATE
PERAIYUR.
- 2 DO-THROUGH :
THE CHIEF JUDICIAL MAGISTRATE, MADURAI DISTRICT.
- 3 THE OFFICER INCHARGE,
DISTRICT PRISON, THENI DISTRICT.
- 4 THE INSPECTOR OF POLICE,
ALL WOMEN POLICE STATION PERAIYUR POLICE STATION,
MADURAI DISTRICT.
- 5 THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.

+1 CC to M/s.S.S.SUNDARA PANDIAN, Advocate (SR-1330[I] dated 03/02/2025)

ORDER
IN
CRL OP(MD) No.2145 of 2025
Date :03/02/2025

SS/SAR- /03/02/2025/ 5P/7C

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