



WEB COPY BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 12/03/2025

PRESENT

The HONOURABLE MR. JUSTICE P. DHANABAL

CRL OP(MD). No.4614 of 2025

Anandan,
S/o. Raja, No. 29/1,
8th Street, (Main Road),
Chokkalingam Nagar,
Madurai.

... Petitioner/ Accused No.1

Vs

The State of Tamil Nadu,,
Rep. by the Inspector of Police,
S.S. Colony Police Station,
Madurai District.
(Crime No. 852 of 2024).

... Respondent/ Complainant

For Petitioner : Mr.R.Babu Jaganath,

Advocate

For Respondent : Mr.R.Meenakshi Sundaram,

Additional Public Prosecutor



PETITION FOR BAIL Under Sec.483 of BNSS

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PRAYER :-

For Bail in Crime No. 852 of 2024 on the file of the respondent police.

ORDER : The Court made the following order :-

The petitioner / Accused No.1, who was arrested and remanded to judicial custody on 17.01.2025 for the offences punishable under sections 296(b), 326(a), 351(3) of BNS, 2023 and Section 4 of TNPHW Act in Crime No.852 of 2024 on the file of the respondent police, seeks bail.

2. The case of the prosecution is that the petitioner / Accused No.1 and the defacto complainant are husband and wife. They had two children from their marriage. Accused No.2 is the mother of the petitioner herein. Due to family dispute arose between the petitioner and the defacto complainant, the defacto complainant left the matrimonial home and they have been living separately. The allegation against the petitioner is that on 23.12.2024, at about 10.30 a.m., the petitioner along with Accused No.2 forcibly entered the house of the defacto complainant and threatened the defacto complainant and assaulted her. Thereafter, the defacto complainant locked the house and went to her sister's house along with her children.

On 24.12.2024, at about 07.00 a.m., the defacto complainant received a phone call

<https://www.tnhc.in.gov.in/judis>



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from the neighbours that Accused No.1 set fire to her house. Thereafter, the defacto complainant went to her house and saw that the house-hold articles were burnt.

Hence, the case.

3. The learned counsel appearing for the petitioner would submit that the petitioner is an innocent person and a false case has been foisted against him. He would further submit that the petitioner alone has been taking care of his elderly mother. He would further submit that the petitioner is in custody from 17.01.2025 and he is also ready to abide by any condition imposed by this Court. He would further submit that there is no previous case pending against the petitioner. Hence, the petitioner may be released on bail.

4. The learned Additional Public Prosecutor would submit that the petitioner is Accused No.1 in this case. He would further submit the petitioner along with Accused No.2 damaged the house-hold articles belonged to the defacto complainant worth about Rs.4,00,000/-. He would further submit that the investigation has been completed and charge sheet is filed before the concerned Court. He would further submit that no previous case is pending against the petitioner. However, he strongly opposed to grant bail to the petitioner.

5. Heard both sides and perused the materials available on record.

6. Considering the rival submissions made on either side, considering the



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nature of offences charged against the petitioner, considering the fact that no previous case is pending against the petitioner, taking into consideration the period of incarceration underwent by the petitioner and also considering the fact that the investigation has been completed and charge sheet is filed before the concerned Court, I am inclined to grant bail to the petitioner, subject to the following conditions:

[a] Accordingly, the petitioner is ordered to be released on bail on condition to execute 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 V, Madurai District and on further conditions that:

[b] the petitioner shall report before the learned Judicial Magistrate V, Madurai daily at 10.30 a.m for a period of thirty days.

[c] the petitioner shall not commit any offences of similar nature.

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

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

[f] 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].

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[g] If the accused thereafter absconds, a fresh FIR can be registered under

Section 269 B.N.S.

sd/-
12/03/2025

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12/03/2025

Sub-Assistant Registrar ()
Madurai Bench of Madras High Court,
Madurai - 625 023.

TSG
TO

1 THE JUDICIAL MAGISTRATE NO.V
MADURAI DISTRICT

2 DO-THROUGH :THE CHIEF JUDICIAL MAGISTRATE,
MADURAI DISTRICT.

3 THE SUPERINTENDENT,
CENTRAL JAIL, MADURAI DISTRICT.

4 THE INSPECTOR OF POLICE,
S.S. COLONY POLICE STATION,
MADURAI DISTRICT.

5 THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT,
MADURAI.

ORDER
IN
CRL OP(MD) No.4614 of 2025
Date :12/03/2025



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NBF/SAR/ (12/03/2025) 6P/6C

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