



CRL OP (MD) No.4521 of 2025

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 25.03.2025

PRESENT

THE HONOURABLE MR. JUSTICE R. SAKTHIVEL

CRL OP (MD) No.4521 of 2025

Karuppaiah @ Bharathi

... Petitioner/Sole Accused

Vs

The State of Tamil Nadu,
Rep. by the Inspector of Police,
All Women Police Station,
Alangudi, Pudukkottai District.
Crime No.2 of 2025

... Respondent/Complainant

For Petitioner : Mr.J.Lawrance
Advocate

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

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

PRAYER :-

For bail in Crime No.2 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 07.03.2025



CRL OP (MD) No.4521 of 2025

under Section 483 of the Bharatiya Nagarik Suraksha Sanhita (BNSS), 2023, praying to grant bail.

2. The petitioner/sole accused was arrested and remanded to judicial custody on 05.02.2025 for the alleged offences punishable under Sections 296(b), 69 and 318(2) of Bharatiya Nyaya Sanhita (BNS), 2023 in Crime No.2 of 2025 on the file of the respondent-police.

3. The case of the prosecution is that during 2021, the defacto complainant and the petitioner had loved each other, and the petitioner had physical relations with her multiple times under the false promise of marriage. However, when the defacto complainant requested the petitioner to marry her, he refused and evaded her by switching off his mobile phone. Hence, the case.

4. Mr.J.Lawrance, learned counsel appearing for the petitioner, submits that the petitioner did not commit any offence as alleged by the prosecution and that a false case has been foisted against him. He further submits that the petitioner has been in judicial custody since 05.02.2025 and is ready to abide by any condition that may be imposed by this Court. He therefore prays to grant bail to the petitioner.



CRL OP (MD) No.4521 of 2025

WEB COPY

5. *Per contra*, Mr.K.Sanjai Gandhi, learned Government Advocate (Crl. Side) appearing for the respondent-police, submits that the investigation in this case is yet to be completed, and therefore, at this stage, if the petitioner is enlarged on bail, he may cause threat to the defacto complainant, her family members, and the witnesses. Accordingly, he prays to dismiss this Criminal Original Petition.

6. Heard on both sides. This Court has perused the records including the FIR and the statement of the victim.

7. The petitioner was arrested on 05.02.2025 and has been in judicial custody since then. In view of the offences allegedly committed by the petitioner and the period of incarceration, this Court is of the opinion that the further custody of the petitioner is not necessary in this case for the Investigation Agency. Further, the petitioner has permanent residence, and therefore, there is less possibility of absconding. Hence, 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:



CRL OP (MD) No.4521 of 2025

WEB COPY

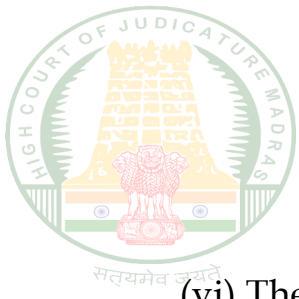
(i) The petitioner shall execute a bond for Rs.25,000/- (Rupees Twenty Five Thousand only) along with two sureties each for a like sum of Rs.25,000/- (Rupees Twenty Five Thousand only) to the satisfaction of the learned Judicial Magistrate, Alangudi;

(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, Alangudi shall obtain a copy of any one of identity proofs to ensure their identity;

(iii) The petitioner shall furnish his residential address and mobile number to the learned Judicial Magistrate, Alangudi;

(iv) The petitioner shall appear and sign before the respondent-police daily at 10.00 a.m. and 05.00 p.m., until further orders;

(v) The petitioner shall attend in accordance with the conditions of the bond to be executed under Chapter XXXV of BNS, 2023;



CRL OP (MD) No.4521 of 2025

WEB COPY

(vi) The petitioner shall not commit an offence similar to the offence of which he is accused, or suspected, of the commission of which he is suspected;

(vii) 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 or tamper with the evidence;

(viii) The petitioner shall not directly or indirectly cause any threat to the defacto complainant, her family members, and witnesses;

(ix) The petitioner shall not enter into the defacto complainant's house or workplace and shall also not try to contact the defacto complainant either directly or through any electronic mode; and

(x) On breach of any of the aforementioned conditions, the learned Judicial Magistrate, Alangudi 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].



CRL OP (MD) No.4521 of 2025

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

sd/-
25/03/2025

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25/03/2025
Sub-Assistant Registrar ()
Madurai Bench of Madras High Court,
Madurai - 625 023.

MBI

TO

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

+1 CC to M/s.J.LAWRANCE, Advocate (SR-3381[I] dated 25/03/2025)



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CRL OP (MD) No.4521 of 2025

ORDER
IN
CRL OP(MD) No.4521 of 2025
Date :25/03/2025

SS/SAR- /25/03/2025/ 7P/7C

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