



CRL OP (MD) No.4697 of 2025

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 24/03/2025

PRESENT

THE HONOURABLE MR. JUSTICE R. SAKTHIVEL

CRL OP (MD) No.4697 of 2025

Amrish,
S/o. Murugan,
No.11,
Selvavinayagar Kovil Street,
Prasanna Colony,
Madurai.

... Petitioner/Sole Accused

Vs

The State of Tamil Nadu,
Rep. by the Inspector of Police,
Avaniyapuram Police Station,
Avaniyapuram,
Madurai.
Crime No. 48 of 2025

... Respondent/Complainant

T.Rajeshkannan

... Petitioner/Intervener
in CRL MP(MD)No.3628 of 2025
in CRL OP(MD)No.4697 of 2025



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For Petitioner : Mr.R.Vignesh,
Advocate

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

For Intervener : Mr.K.R.Manimaran,
Advocate

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

PRAYER :-

For Bail in Crime No.48 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 11.03.2025 under Section 483 of Bharatiya Nagarik Suraksha Sanhita (BNSS), 2023, praying to grant bail.

2. The petitioner/sole accused was arrested and remanded to judicial custody on 21.01.2025 for the offences punishable under Sections 296(b), 115(2), 118(1), 78, 232 and 351(3) of BNS, 2023 and Section 4 of Tamil Nadu Prohibition of Harassment of Women Act, 2002 in Crime No.48 of 2025, on the file of the respondent-Police.

3. The case of the prosecution is that the petitioner was in one-sided love with



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the sister of the defacto complainant and frequently disturbed her. When the same was questioned by the defacto complainant, on 08.12.2024, the petitioner and his friend assaulted the defacto complainant, causing a head injury. Consequently, an FIR was registered in Crime No.834 of 2024. Subsequently, the petitioner was arrested and remanded to judicial custody on 12.12.2024 and was later released on bail on 11.01.2025. After his release from jail, the petitioner posted some photos of himself and the sister of the defacto complainant on a social media platform. Thereafter, on 21.01.2025, at about 08:00 p.m., the petitioner went to the house of the defacto complainant, assaulted him on his legs, and threatened his father and mother. Hence, the complaint.

4. Mr.R.Vignesh, learned counsel appearing for the petitioner, submits that the petitioner has not committed any offence as alleged by the prosecution and that a false case has been foisted against the petitioner. He further submits that the petitioner has been in judicial custody since 21.01.2025 and is ready to abide by any conditions that may be imposed by this Court. Therefore, he prays for granting bail to the petitioner.

5. *Per contra*, Mr.K.Sanjai Gandhi, learned counsel appearing for the



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respondent-police, submits that the investigation has been completed, and the charge sheet has been filed through E-filing before the concerned Court. He further submits that if bail is granted to the petitioner, he may abscond and thereby cause a delay to the trial proceedings. He further submits that if bail is granted to the petitioner, he may cause threat to the defacto complainant and the witnesses. Hence, he strongly opposes to grant bail to the petitioner.

6. Mr.K.R.Manimaran, learned counsel appearing for the intervener, submits that if bail is granted to the petitioner, he may cause threat to the defacto complainant and his family members and again, he will disturb the sister of the defacto complainant. He further submits that the defacto complainant sustained grievous injuries on his legs. Hence, he vehemently opposes to grant bail to the petitioner.

7. Heard on both sides. This Court has perused the case file.

8. The petitioner has permanent residence and deep roots in the society, and hence, there is less possibility of absconding. Considering the same, and also considering the period of incarceration, and taking note of the fact that the charge sheet has been filed before the concerned Court through E-filing, and with a view to



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give one more opportunity to the petitioner 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.25,000/- (Rupees Twenty Five Thousand only) to the satisfaction of the learned Judicial Magistrate No.VI, 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 No.VI, Madurai, 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 No.VI, Madurai;

(iv) The petitioner shall appear and sign before the respondent-police daily twice at 10.30 a.m., and 05.00 p.m., until further orders;



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(v) The petitioner should not enter into Nilakottai and Vathalagundu without prior permission from the learned Judicial Magistrate No.VI, Madurai;

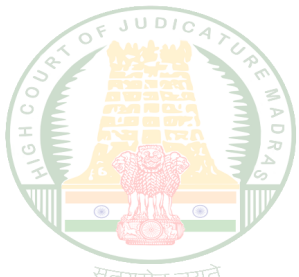
(vi) The petitioner shall attend in accordance with the conditions of the bond to be executed under Chapter XXXV of BNS, 2023;

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

(viii) 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;

(ix) The petitioner shall not, directly or indirectly, cause any threat to the defacto complainant, his sister, and witnesses;

(x) The petitioner shall not, directly or indirectly contact the defacto



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complainant or his family members through his men, or agent or any other electronic mode; and

(xi) On breach of any of the aforementioned conditions, learned Judicial Magistrate No.VI, Madurai, 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].

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

sd/-
24/03/2025

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24/03/2025
Sub-Assistant Registrar (C.S. I / II / III / IV)
Madurai Bench of Madras High Court,
Madurai - 625 023.

TSG

TO

1 THE JUDICIAL MAGISTRATE VI
MADURAI



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2 DO-THROUGH :

THE CHIEF JUDICIAL MAGISTRATE, MADURAI DISTRICT.

3 THE SUPERINTENDENT,
CENTRAL JAIL, MADURAI.

4 THE INSPECTOR OF POLICE,
AVANIYAPURAM POLICE STATION,
AVANIYAPURAM,
MADURAI.

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

+1 CC to M/s.R.VIGNESH, Advocate (SR-3336[I] dated 24/03/2025)

ORDER

IN

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Date :24/03/2025

SS/SAR- /24/03/2025/ 8P/7C

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