



CRL OP (MD) No.5744 of 2025

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 27/03/2025

PRESENT

THE HONOURABLE MR. JUSTICE R. SAKTHIVEL

CRL OP (MD) No.5744 of 2025

Sabareeswaran

... Petitioner/ Sole Accused

Vs

The State of Tamil Nadu,
Rep. by The Inspector of Police,
Manur Police Station,
Tirunelveli District.
Crime No.143 of 2025

... Respondent/ Complainant

For Petitioner : Mr.P.Veerapandi

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

PETITION FOR BAIL Under Sec.483 of BNSS, 2023

PRAYER :- To enlarge the petitioner/Sole Accused on bail in Crime No.143 of 2025 pending 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 25.03.2025 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 12.03.2025 for the offences punishable under Section 4 of Tamil Nadu Prohibition



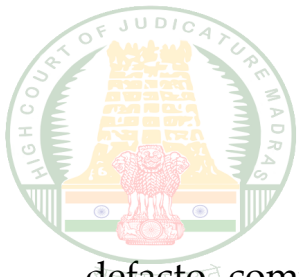
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of Harassment of Women Act, 2002, Section 77 of the Bharatiya Nyaya Sanhita, 202,
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and Section 67 of Information Technology Act, 2000, in Crime No.143 of 2025 on the
file of the respondent-police.

3. The case of the prosecution is that the defacto complainant is a married woman. The petitioner and the defacto complainant were working in the same company in the year 2022, and they had taken photographs together. On 11.02.2025, at about 07:30 p.m., the petitioner demanded money from the defacto complainant and threatened her, stating that if she did not give the money, he would morph the said photographs and videos and upload the same on social media. Hence, the complaint.

4. Mr.P.Veerapandi, learned counsel appearing for the petitioner, submits that the petitioner has not uploaded any photograph as alleged by the prosecution and that the respondent-police, without conducting proper enquiry/investigation, has foisted a false case against the petitioner. He, however, submits that the petitioner is ready to abide by any conditions that may be imposed by this Court. He further submits that the petitioner has been in judicial custody since 12.03.2025. Hence, he prays for granting bail to the petitioner.

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



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defacto complainant, demanding money and stating that he would morph the photographs and videos, which were taken when they were working in the same company, and upload the same on social media, and therefore, if bail is granted to the petitioner, he may cause threat to the defacto complainant and other witnesses. He further submits that in this case, the investigation has been completed, and charge sheet has also been filed by way of e-filing. Accordingly, he opposes to grant bail to the petitioner.

6. This Court has considered the submission made on either side and perused the records.

7. This Court specifically put a question to the learned Government Advocate as to whether the mobile phone of the petitioner was sent for FSL examination or not. To that, the learned Government Advocate answered that the respondent-police did not send the mobile phone for FSL examination.

8. In view of the above and also considering the nature of the offence allegedly committed by the petitioner, this Court is of the opinion that further custody of the petitioner is not necessary for the Investigation Agency. The petitioner has a permanent residence and deep roots in society. Therefore, there is less possibility of absconding. Considering the same, and also considering the period of incarceration and the fact that the petitioner has no previous case, and with a view to give an



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opportunity to the petitioner to reform himself, this Court is inclined to grant an order of bail to the petitioner, however, subject to the following conditions:

(i) The petitioner shall execute a bond for Rs.10,000/- (Rupees Ten Thousand only) along with two sureties each for a like sum of Rs.10,000/- (Rupees Ten Thousand only) to the satisfaction of the learned Judicial Magistrate No.V, Tirunelveli;

(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.V, Tirunelveli, 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.V, Tirunelveli;

(iv) The petitioner shall appear and sign before the learned Judicial Magistrate No.V, Tirunelveli, on all working days, at 10.00 a.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;

(vi) 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;

(vii) The petitioner shall not directly or indirectly make any inducement, threat



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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 and the witnesses;

(ix) The petitioner shall not enter into the defacto complainant's residence and workplace; and

(x) On breach of any of the aforementioned conditions, the learned Judicial Magistrate No.V, Tirunelveli 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/-
27/03/2025

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28/03/2025
Sub-Assistant Registrar
Madurai Bench of Madras High Court,
Madurai - 625 023.



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RMK जयदे
TO
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1 THE JUDICIAL MAGISTRATE NO.V,
TIRUNELVELI.

2 DO THROUGH THE CHIEF JUDICIAL
MAGISTRATE, TIRUNELVELI DISTRICT.

3 THE SUPERINTENDENT,
CENTRAL JAIL, PALAYAMKOTTAI.

4 THE INSPECTOR OF POLICE,
MANUR POLICE STATION,
TIRUNELVELI DISTRICT.

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

ORDER IN
CRL OP(MD) No.5744 of 2025
Date :27/03/2025

SA/SAR. /28.03.2025/6P/6C

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