



CRL OP (MD) No.6882 of 2025

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

( Criminal Jurisdiction )

Date : 16/04/2025

PRESENT

THE HONOURABLE MR. JUSTICE R. SAKTHIVEL

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C.Sarathikumar

... Petitioner/Sole Accused

Vs.

The State of Tamil Nadu  
Rep. by the Inspector of Police,  
Devipattinam Police Station,  
Devipattinam,  
Ramanathapuram District.  
Crime No.84 of 2025

... Respondent/Complainant

For Petitioner : Mr.S.Atham Ali  
Advocate

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

PETITION FOR BAIL Under Sec.483 of BNSS

PRAYER :-

For Bail in Crime No.84 of 2025 on the file of the respondent- Police.

ORDER : The Court made the following order :-



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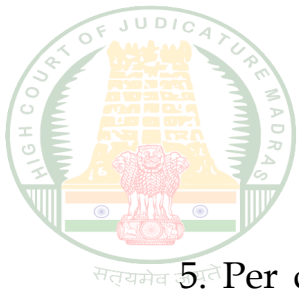
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This Criminal Original Petition has been filed by the petitioner on 09.04.2025 under Section 483 of the Bharatiya Nagarik Suraksha Sanhita (BNSS), 2023, praying to grant bail.

2. The petitioner/Sole Accused was arrested and remanded to judicial custody on 19.03.2025 for the alleged offences punishable under Sections 296(b), 115(2), 118(1) & 351(3) of BNS, 2023 and Section 4 of the Tamil Nadu Prohibition of Harassment of Women Act, 2002, in Crime No.84 of 2025 on the file of the respondent-police.

3. The case of the prosecution is that the petitioner and the defacto complainant are husband and wife. As the petitioner suspected the character of the defacto complainant and had been continuously attacking and scolding her, she lodged a complaint with the respondent-police. Due to this, in an inebriated state, on 18.03.2025, at about 6:45 p.m., the petitioner abused her in filthy language and assaulted the defacto complainant with a belt and an iron rod on her hands, legs, and head, causing injuries. Hence, the case.

4. Mr.S.Atham Ali, learned counsel appearing for the petitioner, submits that the petitioner is an innocent person and that he has been falsely implicated in this case. He further submits that the petitioner has been in judicial custody since 19.03.2025 and is ready to abide by any stringent conditions that may be imposed by this Court. He therefore prays to grant bail to the petitioner.



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5. Per contra, Mr.K.Sanjai Gandhi, learned Government Advocate (Crl. side) appearing for the respondent-police, submits that under the influence of alcohol, the petitioner herein attacked the defacto complainant with belt and iron rod and thereby, caused injury on her head. He further submits that the injured was discharged from the hospital. However, he submits that if bail is granted to the petitioner, he may cause threat to the defacto complainant and other witnesses. Accordingly, he prays to dismiss this Criminal Original Petition.

6. Heard on both sides and perused the records.

7. The petitioner was arrested on 19.03.2025 and has been in judicial custody since then. In view of the offences allegedly committed by the petitioner, and considering the relationship between the parties as well as the fact that this is the first time the petitioner has committed such type of offence against the defacto complainant, this Court is of the opinion that further custody of the petitioner is not necessary for the Investigation Agency in this case. Further, the petitioner has permanent residence and deep roots in the society. Therefore, there is less possibility of absconding. Considering the same, and also considering the period of incarceration suffered by the petitioner, and with a view to give an 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



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subject to the following conditions:

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(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.I, Ramanathapuram;

(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.I, Ramanathapuram shall obtain a copy of any one of identity proofs to ensure their identity;

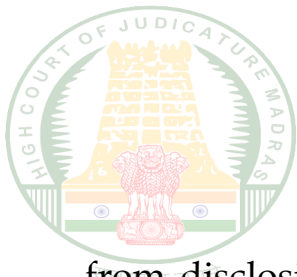
(iii) The petitioner shall furnish his residential address and mobile number to the learned Judicial Magistrate No.I, Ramanathapuram;

(iv) The petitioner shall appear and sign before the respondent - Police, daily 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 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



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from disclosing such facts to the Court or to any police officer or tamper with the  
evidence;

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

(ix) On breach of any of the aforementioned conditions, the learned Judicial Magistrate No.I, Ramanathapuram 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/-  
16/04/2025

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17/04/2025

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

TRP  
To

1. The Judicial Magistrate No.I, Ramanathapuram.
2. Do-Through The Chief Judicial Magistrate, Ramanathapuram District.
3. The officer-in-charge, Sub Jail, Ramanathapuram.



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4. The Inspector of Police,  
Devipattinam Police Station, Devipattinam, Ramanathapuram District.

5. The Additional Public Prosecutor,  
Madurai Bench of Madras High Court, Madurai.

ORDER  
IN  
CRL OP(MD) No.6882 of 2025  
Date :16/04/2025

NBF/SAR/ (17/04/2025) 6P/6C

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