



CRL OP (MD) No.6672 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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Senthilnathan

... Petitioner/ Sole Accused

Vs

The State of Tamil Nadu
Rep. by the Inspector of Police,
Devakottai Town Police Station,
Sivagangai District.
(Crime No. 143 of 2025)

... Respondent/Complainant

For Petitioner : Mr.R.Balamuruganantham
Advocate

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

For intervenor : Mr.P.Veerapandi
Advocate

PETITION FOR BAIL Under Sec.483 of BNSS

PRAYER :-

For Bail in Crime No.143 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 07.04.2025



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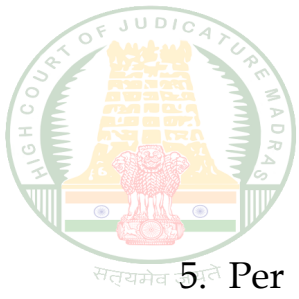
under Section 483 of the Bharatiya Nagarik Suraksha Sanhita (BNSS), 2023, praying to
grant bail.

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2. The petitioner/sole accused was arrested and remanded to judicial custody on 03.04.2025 for the alleged offences punishable under Sections 296(b) and 351(3) of Bharatiya Nyaya Sanhita, 2023 and Section 4 of The Tamil Nadu Prohibition of Women Harassment Act, 2002 and Section 3 Tamil Nadu Public Property (Prevention of Damage and Loss) Act, 1992, in Crime No.143 of 2025 on the file of the respondent-police.

3. The case of the prosecution is that the petitioner herein abused the defacto complainant using filthy language, caused damage to her sewage tank, and also criminally intimidated her. Hence, the complaint.

4. Mr.R.Balamuruganantham, learned counsel appearing for the petitioner, submits that the petitioner is an innocent person, that he 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 is ready to abide by any conditions that may be imposed by this Court and that to show his bona fide, he is ready and willing to deposit a sum of Rs.3,000/-. He further submits that the petitioner has been in incarceration since 03.04.2025. Therefore, he prays for granting bail to the petitioner.



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5. Per contra, Mr.P.Veerapandi, learned counsel for the intervener/defacto complainant, submits that if the petitioner is enlarged on bail, he will cause threat to the life of the defacto complainant and her family members. Hence, he opposes to grant bail to the petitioner.

6. Mr.K.Sanjai Gandhi, learned Government Advocate (Criminal side) appearing for the respondent-police, submits that there are six previous cases pending against the petitioner. He further submits that the investigation of the case is pending, and therefore, if the petitioner is released on bail, he may abscond and tamper the witnesses. Therefore, he vehemently opposes to grant bail to the petitioner.

7. Heard on both sides and perused the records including the First Information Report.

8. The petitioner was arrested and has been in judicial custody since 03.04.2025. In view of the offences allegedly committed by the petitioner and taking note of the fact that the petitioner is stated to be ready and willing to deposit a sum of Rs.3,000/-, 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



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the petitioner, and with a view to give one opportunity to the petitioner to reform himself, this Court is inclined to grant bail to the petitioner, however, 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, Devakottai;

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

(iii) The petitioner shall deposit a sum of Rs.3,000/- (Rupees Three Thousand only) to the credit of Crime No.143 of 2025 on the file of the respondent-police, before the learned Judicial Magistrate, Devakottai without prejudice to his rights and contentions before the Trial Court, and produce the receipt/acknowledgment before the concerned Judicial Magistrate while executing sureties. Upon such deposit, the concerned Magistrate shall deposit the said amount in a fixed deposit scheme in any one of the Nationalized Banks for a period of one year, and thereafter, renew the same until the conclusion of the trial. The Trial Court/Judicial Magistrate shall pass



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an order qua entitlement of the said amount in its final order/judgment;

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

(v) The petitioner shall appear and sign before the respondent- police daily at 10.00 am until further orders;

(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 should not enter into the defacto complainant's residence and work place. Further, the petitioner should not obstruct the way of the defacto complainant;

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

(xi) On breach of any of the aforementioned conditions, the learned Judicial



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Magistrate, Devakottai, is entitled to pass appropriate orders against the petitioner in
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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/-
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, Devakottai.
2. Do-Through The Chief Judicial Magistrate, Sivagangai District.
3. The Superintendent, Central Prison, Madurai.
4. The Inspector of Police, Devakottai Town Police Station, Sivagangai District.
5. The Additional Public Prosecutor,
Madurai Bench of Madras High Court, Madurai.

ORDER
IN
CRL OP(MD) No.6672 of 2025
Date :16/04/2025



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NBF/SAR/ (17/04/2025) 7P/6C

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

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