



CRL OP(MD). No.7000 of 2025

WEB COPY BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 17/04/2025

PRESENT

THE HONOURABLE MR. JUSTICE R. SAKTHIVEL

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Senthil Mallar

... Petitioner/Sole Accused

Vs

The State of Tamilnadu,
Rep by the Inspector of Police,
Kalugumalai Police Station,
Thoothukudi District.
(Crime No. 102/2025).

... Respondent/Complainant

For Petitioner : Mr.P.Jeyasankar,
Advocate.

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

PETITION FOR BAIL Under Sec.483 of BNSS

PRAYER :-

For Bail in Crime No. 102 of 2025 on the file of the respondent-police.



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WEB COPY ORDER: The Court made the following order :-

This Criminal Original Petition has been filed by the petitioner on 15.04.2025 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 27.03.2025 for the offences punishable under Sections 329(4), 296(b), 332 (c), 64, 62 and 351(3) of Bharatiya Nyaya Sanhita, 2023 r/w 4 of TNPHW Act, in Crime No.102 of 2025, on the file of the respondent-Police.

3. The case of the prosecution is that 26.03.2025, at 11.30 p.m., the petitioner trespassed into the victim's house and attempted to commit rape and also made criminal intimidation against the victim. Hence, the case.

4. Mr.P.Jeyasankar, learned counsel appearing for the petitioner, submits that the petitioner has nothing to do with the alleged offence, and a false case has been foisted against the petitioner. He however submits that the petitioner is ready to abide by any conditions to be imposed by this Court, and co-operate with the



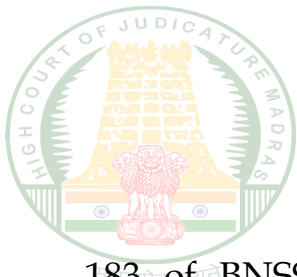
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investigating agency. He further submits that if bail is granted to the petitioner, he will not abscond. He further submits that the petitioner has been in judicial custody since 27.03.2025. Therefore, he prays for granting bail to the petitioner.

5. Per contra, Mr.K.Sanjai Gandhi, learned Government Advocate (Criminal Side) appearing for the respondent-Police, submits that the petitioner has 14 previous cases. He further submits that if bail is granted to the petitioner, he may abscond and thereby, cause delay to the investigation proceedings. He further submits that if bail is granted to the petitioner, he may threaten the defacto complainant and witnesses. Hence, he vehemently opposes to grant bail to the petitioner.

6. Heard on both sides. This Court has perused the records and the statement recorded from the victim under Section 183 of BNSS, 2023.

7. Considering the above, and considering the facts and circumstances of the case, and considering the fact that the petitioner has 14 previous cases, at this stage, if bail is granted to the petitioner, he may threaten the defacto complainant and witnesses and taking note of the statement recorded from the victim under Section



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183 of BNSS, 2023, and considering the safety of the victim and the defacto
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complainant, this Court is not inclined to grant bail to the petitioner at this stage.

8. Accordingly, this Criminal Original Petition stands dismissed.

sd/-
17/04/2025

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/05/2025
Sub-Assistant Registrar (C.S. I / II / III / IV)
Madurai Bench of Madras High Court,
Madurai - 625 023.

vsg

TO

1.THE INSPECTOR OF POLICE,
KALUGUMALAI POLICE STATION,
THOOTHUKUDI DISTRICT.

2. THE OFFICER INCHARGE,
DISTRICT PRISON,
THOOTHUKUDI.

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



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ORDER

IN

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Date :17/04/2025

VN/27.05.2025 /5P/4C

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