



CRL OP(MD). No.9081 of 2025

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT
(Criminal Jurisdiction)

Date : 02/06/2025

PRESENT

The HONOURABLE MR. JUSTICE P. VADAMALAI

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Ibrahim @ Mohammed Ibrahim

... Petitioner

Vs

The State of Tamil Nadu,
Rep.By, the Inspector of Police,
Nithiravilai Police Station,
Nagercoil,
Kanyakumari District.
(Crime No.130 of 2025).

... Respondent/Complainant

For Petitioner : M/s.M.Abdul Rahuman,
Advocate.

For Respondent : Mr.B.Thanga Aravindh
Government Advocate (Crl.Side)

PETITION FOR BAIL Under Sec.483 of BNSS

PRAYER :- For Bail in Crime No.130 of 2025 on the file of the Respondent Police.

ORDER : The Court made the following order :-

The petitioner / Sole Accused, who was arrested and remanded to judicial



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custody on 05.04.2025 for the offences punishable under Sections 329(4), 74, 109 of BNS, 2023 @ Sections 329(4), 74, 109, 296(b), 303(2)(NP) and 64 of BNS, 2023 in Crime No.130 of 2025 on the file of the respondent police, seeks bail.

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2. The case of the prosecution is that the petitioner is having illicit relationship with the defacto complainant's wife for the past 7 years and he obtained Rs.4,75,000/- from her and when the matter came to know, the defacto complainant warned his wife. On 03.04.2025, she told the defacto complainant that the petitioner threatened her through mobile phone and on the next day, the petitioner trespassed into the defacto complainant house and assaulted her and caused injuries. Hence the case.

3. The learned counsel for the petitioner would submit that the petitioner is an innocent and he has not committed any offence as alleged by the prosecution. He would further submit that the petitioner is in custody from 05.04.2025. Hence, he seeks bail.

4. The learned Government Advocate (Criminal Side) would submit that the the petitioner trespassed into the house of the defacto complainant and assaulted the defacto complainant's wife and caused injuries, hence he objected to grant bail to the petitioner. He would further submit that no previous case is pending against the petitioner and the injured was discharged from the hospital.



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5. Taking into consideration the facts and circumstances of the case and considering the fact that the injured has been discharged from the hospital and also taking into consideration of the period of incarceration, this court is inclined to grant bail to the petitioner, subject to the following conditions:

6. Accordingly, the petitioner is ordered to be released on bail on his executing a bond for a sum of Rs.25,000/- (Rupees Twenty Five Thousand only) with two sureties, each for a like sum to the satisfaction of learned Judicial Magistrate No.II, Kuzhithurai and on further conditions that :-

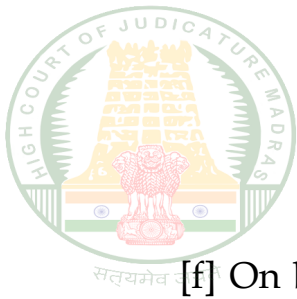
[a] the sureties shall affix their photographs and Left Thumb Impression in the surety bond and the Magistrate may obtain a copy of their Aadhar card or Bank pass Book to ensure their identity.

[b] The petitioner shall furnish his residential address and mobile number to the learned Judicial Magistrate No.II, Kuzhithurai. If the petitioner changes his residential address, he shall report the same to the concerned Court.

[C] the petitioner shall appear and sign before the respondent police daily at 10.30 a.m., until further orders.

[d] the petitioner shall not abscond either during investigation or trial.

[e] the petitioner shall not tamper with evidence or witness either during investigation or trial.



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[f] On breach of any of the aforesaid conditions, the learned Magistrate/Trial Court is entitled to take appropriate action against the petitioner in accordance with law as if the conditions have been imposed and the petitioner released on bail by the learned Magistrate/Trial Court himself as laid down by the Hon'ble Supreme Court in P.K.Shaji vs. State of Kerala [(2005)AIR SCW 5560].

[g] If the accused thereafter absconds, a fresh FIR can be registered under Section 269 BNS.

sd/-
02/06/2025

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03/06/2025
Sub-Assistant Registrar (C.S.-II)
Madurai Bench of Madras High Court,
Madurai - 625 023.

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TO

- 1 THE JUDICIAL MAGISTRATE NO.II,KUZHITHURAI.
- 2 DO THROUGH THE CHIEF JUDICIAL MAGISTRATE, KANYAKUMARI DISTRICT AT NAGERCOIL.
- 3 THE OFFICER INCHARGE, SUB JAIL, NAGERCOIL.
- 4 THE INSPECTOR OF POLICE, NITHIRAVILAI POLICE STATION, NAGERCOIL,KANYAKUMARI DISTRICT.
- 5 THE ADDITIONAL PUBLIC PROSECUTOR MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.



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ORDER

IN

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Date :02/06/2025

NBF/03.06.2025 5P/6C

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