



CRL OP(MD). No.9465 of 2025

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 06/06/2025

PRESENT

THE HONOURABLE MS. JUSTICE R.N.MANJULA

CRL OP(MD). No.9465 of 2025

1.Barathi

2.Alex

... Petitioners/ Accused

Vs

The State of Tamilnadu

Rep by, the Inspector of Police,

Puthukottai A.W.P.S.,

Thoothukudi District.

(Crime No. 10 of 2025).

... Respondent/ Complainant

For Petitioner : Mr. K.K.Samy
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. 10 of 2025 on the file of the respondent police.

ORDER : The Court made the following order :-

The petitioners/ A5 & A6, who were arrested and remanded to judicial custody on 11.04.2025 for the offences under sections 376, 448 and 506(i) of IPC and Section 67 of IT Act @ Sections 376, 448 and 506(i) of IPC and Section 67 of Information Technology Act, and Section 4 of Tamil Nadu Prohibition of Harassment of Women Act, in Crime No.10 of 2025 on the file of the respondent police, seek bail.

2. The case of the prosecution is that the accused had trespassed into the house

<https://www.mhc.tn.gov.in/judis>



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of the defacto complainant and committed rape and made criminal intimidation and also threatened her through digital devices. Hence, the case.

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3. The learned counsel for the petitioners would submit that the petitioners are innocent and a false case has been foisted against them. He would further submit that the petitioners are in custody from 11.04.2025. He would further submit that A7 was granted bail by this Court in Crl.O.P.(MD) No.8943 of 2025 dated 21.05.2025. Hence, he seeks bail.

4. The learned Government Advocate (Crl.Side) would submit that the accused had trespassed into the house of the defacto complainant and committed rape and made criminal intimidation and also threatened her through digital devices. Hence, he opposed to grant bail to the petitioners.

5. Taking into consideration the facts and circumstances of the case and also the fact that A7 was released on bail and also taking into consideration the period of incarceration, this court is inclined to grant bail to the petitioners, subject to the certain conditions.

6. Accordingly, the petitioners are ordered to be released on bail on his executing a bond for a sum of Rs.25,000/- (Rupees Twenty Five thousand only) each, with two sureties, each for a like sum to the satisfaction of learned Judicial Magistrate-III, Thoothukudi, and on further conditions that :-



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[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;

[c] the petitioners shall report before the respondent police daily at 10.30 a.m., until further orders;

[d] the petitioners shall not abscond either during investigation or trial;

[e] the petitioners shall not tamper with evidence or witness either during investigation or trial;

[f] On breach of any of the aforesaid conditions, the learned Magistrate/Trial Court is entitled to take appropriate action against the petitioners in accordance with law as if the conditions have been imposed and the petitioners 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]; and

[g] If the accused thereafter abscond, a fresh FIR can be registered under Section 269 of BNS, 2023.

sd/-
06/06/2025

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06/06/2025
Sub-Assistant Registrar
Madurai Bench of Madras High Court,
Madurai - 625 023.



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APD जयते
TO
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1 THE JUDICIAL MAGISTRATE NO.III
THOOTHUKUDI.

2 DO THROUGH THE CHIEF JUDICIAL
MAGISTRATE, THOOTHUKUDI DISTRICT.

3 THE OFFICER INCHARGE,
SUB JAIL, PEROORANI, THOOTHUKUDI DISTRICT.

4 THE INSPECTOR OF POLICE,
PUTHUKOTTAI A.W.P.S.,
THOOTHUKUDI DISTRICT.

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

ORDER IN
CRL OP(MD) No.9465 of 2025
Date :06/06/2025

SA/SAR. /06.06.2025/4P/6C

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