



CRL OP(MD). No.9668 of 2025

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

Date : 10.06.2025

PRESENT

The HONOURABLE MR.JUSTICE P.VADAMALAI

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1.E.Marimuthu,
S/o.Emarajan

2.E.Palpandi,
S/o.Emarajan

...Petitioners / A1 and A2

Vs

The State of Tamil Nadu,
Rep by the Inspector of Police,
Srivilliputtur Town Police Station,
Virudhunagar District.
(Crime No.126 of 2025)

... Respondent/ Complainant

For Petitioners: Mr.S.Veerapandiselvaraj,
Advocate.

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

PETITION FOR BAIL Under Sec.483 of BNSS, 2023.



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PRAYER :- For Bail in Crime No.126 of 2025 on the file of the respondent police.

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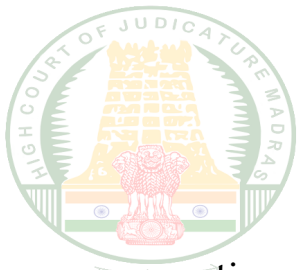
ORDER : The Court made the following order :-

The petitioners / accused nos.1 and 2, who were arrested and remanded to judicial custody on 04.03.2025 for the offences under Sections 109(1), 118(1), 296(b) and 333 of Bharatiya Nyaya Sanhita (BNS), 2023, read with Section 4 of the Tamil Nadu Prohibition of Harassment of Woman Act, in Crime No.126 of 2025 on the file of the respondent police, seeks bail.

2. The case of the prosecution is that, on 04.03.2025, at about 01.30 a.m., the petitioners knocked on the door of the defacto complainant's house. When the defacto complainant opened the door, at that time, the petitioners pushed the door open and trespassed into the house of the defacto complainant. Thereafter, the petitioners abused the defacto complainant and her son in filthy language and also assaulted the defacto complainant's son by using knife on his head and causing head and shoulder injuries. Thereafter, the injured was taken to the Srivilliputtur Government Hospital for treatment. Hence, the case.

3. The learned counsel for the petitioners would submit that the petitioners are innocent persons and they have not committed any offence as alleged by the

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prosecution. He would further submit that a false case has been foisted against the petitioners. He would further submit that there are no previous cases against the petitioners. He would further submit that the petitioners are in custody from 04.03.2025. Hence, he seeks bail.

4. The learned Government Advocate (Criminal Side) would submit that the petitioners trespassed into the defacto complainant's house and attacked her son with knife and caused grievous head injuries. He would further submit that the injured was admitted in the hospital on 04.03.2025 and discharged on 01.04.2025. He would further submit that the first petitioner has three previous cases, out of which, one is similar in nature. The second petitioner has one previous case, which is similar in nature. He would further submit that if bail is granted to the petitioners, they may cause threat to the defacto complainant and the witnesses. He, therefore, opposes the grant of bail to the petitioners.

5. This Court has heard the learned counsel on both sides and perused the materials available on record.

6. Taking into consideration the facts and circumstances of the case and the



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nature of the offence allegedly committed by the petitioners and also taking into
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consideration the period of incarceration, this court is inclined to grant bail to the
petitioners, however, subject to the following conditions:

7. Accordingly, the petitioners are ordered to be released on bail on their 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 the learned Judicial Magistrate, Additional Mahila Court, Srivilliputtur, 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 petitioners shall furnish their residential address and mobile number to the learned Judicial Magistrate, Additional Mahila Court, Srivilliputtur. If the petitioners changes their residential address, they shall report the same to the learned Judicial Magistrate, Additional Mahila Court, Srivilliputtur.

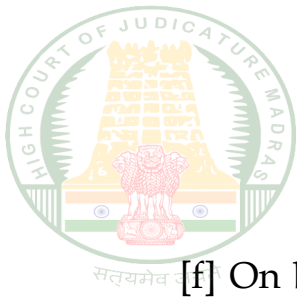
[c] the petitioners shall appear and sign before the respondent police daily at 10.30 a.m. until further orders.

[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.

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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 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].

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

8. In the result, this Criminal Original Petition is allowed subject to the conditions stated supra.

sd/-
10/06/2025

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10 /06/2025
Sub-Assistant Registrar
Madurai Bench of Madras High Court,
Madurai - 625 023.

PAL

TO

1. THE JUDICIAL MAGISTRATE,
ADDITIONAL MAHILA COURT,
SRIVILLIPUTTUR.



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2. DO-THROUGH THE CHIEF JUDICIAL MAGISTRATE,
VIRUDHUNAGAR DISTRICT AT SRIVILLIPUTHUR.

3. THE OFFICER-IN-CHARGE,
DISTRICT JAIL,
VIRUDHUNAGAR AT SRIVILLIPUTTUR.

4. THE INSPECTOR OF POLICE,
SRIVILLIPUTTUR TOWN POLICE STATION,
VIRUDHUNAGAR DISTRICT.

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

+1 CC to M/s.S.VEERAPANDI SELVARAJ, Advocate (SR-6091[I] dated 10/06/2025)

ORDER
IN
CRL OP(MD) No.9668 of 2025
Date :10/06/2025

PR/10.06 .2025 6P/7C

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