



CRL OP(MD). Nos.9554 & 9609 of 2025

WEB COPY BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 17/06/2025

PRESENT

THE HONOURABLE MR. JUSTICE P. VADAMALAI

CRL OP(MD). Nos.9554 & 9609 of 2025

1.Navas @ Nawazdeen,
S/o.Sheik Mohammed Buhari

2.Sayninza @ Shaheensha,
S/o.Sulthan

... Petitioners in

CrI.O.P.(MD).No.9554
of 2025/ A2 & A3

Leeyaz Mohammed,
S/o.Kather Mohideen

... Petitioner in

CrI.O.P.(MD).No.9609
of 2025/ A1

Vs

The State of Tamilnadu,
Rep by the Inspector of Police,
Karupayoorani Police Station,
Madurai District.
(Crime No.57 of 2025)

... Respondent/Complainant
in both petitions



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For Petitioners : Mr.S.Muthiah Poosari Amalan,
(in both petitions) Advocate

For Respondent : Mr.M.Karunanithi,
(in both petitions) Government Advocate
(Criminal Side)

COMMON PRAYER :-

For Anticipatory Bail in Crime No.57 of 2025 on the file of the respondent Police.

COMMON ORDER : The Court made the following order :-

The petitioners/A1 to A3, who apprehend arrest at the hands of the respondent police for the offences punishable under sections 296(b), 115(2), 75 and 351(2) of BNS, 2023 r/w. Section 4 of TNPHW Act in Crime No.57 of 2025 on the file of the respondent police, seek anticipatory bail.

2. The case of the prosecution is that the 1st accused and the de-facto complainant became friends through Instagram. It is alleged that the 1st accused forced the de-facto complainant to consume alcohol and to engage in physical intercourse with him and his friends. Hence, the case.



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3. The learned counsel for the petitioners submitted that this is the second anticipatory bail application filed before this Court on behalf of the 1st accused. The petitioners are innocent persons and they have not committed any offence as alleged by the prosecution. He also submitted that a false case has been foisted against the petitioners. Hence, he seeks anticipatory bail to the petitioners.

4. The learned Government Advocate (Criminal Side) submitted that there are totally three accused persons in this case, and all the accused are before this Court as petitioners. The 1st accused, on the false pretext of marriage, committed the aforesaid offences against the de-facto complainant. A2 and A3 are the friends of A1. He further submitted that the injured has been discharged from the hospital. However, he opposed to grant anticipatory bail to the petitioners.

5. Taking into consideration of the facts and circumstances of the case and the nature of the offence, and considering the specific overt act against the 1st accused, and that the investigation is only at preliminary stage, this court is not inclined to grant anticipatory bail to the 1st accused/the petitioner in CrI.O.P.(MD)No.9609 of 2025 at this stage. However, considering the limited overt act against the 2nd and 3rd



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accused/the petitioners in CrI.O.P.(MD) No.9554 of 2025, and that the injured has been discharged from the hospital, this Court is inclined to grant anticipatory bail to the 2nd and 3rd accused/the petitioners in CrI.O.P.(MD)No.9554 of 2025, subject to certain conditions.

6. Accordingly, the 2nd and 3rd accused/the petitioners in CrI.O.P.(MD)No.9554 of 2025 are ordered to be released on bail in the event of arrest or on their appearance, within a period of fifteen days from the date on which the order copy made ready, before the learned Judicial Magistrate No.2, Madurai, on condition that the petitioners/2nd and 3rd accused shall execute a bond for a sum of Rs.10,000/- (Rupees Ten Thousand only) each with two sureties, each for a like sum to the satisfaction of the respondent police or the police officer who intends to arrest or to the satisfaction of the learned Judicial Magistrate No.2, Madurai, failing which, the petitions for anticipatory bail shall stand dismissed and on further condition that:

(a) the petitioners/2nd and 3rd accused and 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/2nd and 3rd accused shall furnish their residential address



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and mobile number to the learned Judicial Magistrate No.2, Madurai. In the event of
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any change in their residential address, the petitioners/2nd and 3rd accused shall
report the same to the learned Judicial Magistrate No.2, Madurai;

(c) the petitioners/2nd and 3rd accused shall report before the respondent police
daily at 10.30 a.m., until further orders;

(d) the petitioners/2nd and 3rd accused shall not tamper with evidence or
witness either during investigation or trial;

(e) the petitioners/2nd and 3rd accused shall not abscond 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/2nd and 3rd
accused in accordance with law as if the conditions have been imposed and the
petitioners/2nd and 3rd accused released on bail by the learned Magistrate/Trial
Court themselves 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 petitioners/2nd and 3rd accused thereafter abscond, a fresh FIR can be
registered under Section 269 of BNS, 2023.

7. Accordingly, the Criminal Original Petition in CrI.O.P.(MD)No.9609 of 2025
is dismissed and the Criminal Original Petition in CrI.O.P.(MD)No.9554 of 2025 is



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allowed.

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

mkn
TO

1.The Judicial Magistrate No.2,
Madurai.

2. Do Through The Chief Judicial Magistrate,
Madurai.

3.The Inspector of Police,
Karupayoorani Police Station,
Madurai District.

4.The Additional Public Prosecutor,
Madurai Bench of Madras High Court, Madurai.

+1 CC to M/s.S.MP.AMALAN, Advocate (SR-6481[I] dated 18/06/2025)

ORDER
IN

CRL OP(MD) Nos.9554 & 9609 of 2025
Date :17/06/2025

HPS/03.07.2025 /6P/6C

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