



CRL OP(MD). No.9678 of 2025

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

Date : 12.06.2025

PRESENT

The HONOURABLE MR. JUSTICE P. VADAMALAI

CRL OP(MD). No.9678 of 2025

Sivakameswaran

... Petitioner/ Accused

Vs.

The State of Tamil Nadu,
Rep. by the Inspector of Police,
South Gate Police Station,
Madurai District.
Crime No. 165 of 2025.

... Respondent/ Complainant

For Petitioner : Mr.S.Vikram,
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.165 of 2025 on the file of the respondent police.

ORDER : The Court made the following order :-



CRL OP(MD). No.9678 of 2025

WEB COPY

The petitioner / Accused, who was arrested and remanded to judicial custody on 21.05.2025 for the offences under Sections 75, 78, 296(b) of BNS and Section 4 of TN Prohibition of Harassment of Women Act, 2002 in Crime No.165 of 2025 on the file of the respondent police, seeks bail.

2. The case of the prosecution as per the defacto complainant, namely Muthumari is that, she is running a flower shop at Sri Kamatchiamman Ekamberswarar Temple, South Masi Street, Madurai. Already there was a dispute between the petitioner and the defacto complainant. Thereafter, on 19.05.2025, at about 10.00 a.m., while the defaco complainant was at her shop and looking after the flower sale, the petitioner threatened the defacto complainant to have physical relationship with him and abused in filthy language and also threatened her with dire consequences. 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 was arrested and he is in custody from 21.05.2025. Hence, he seeks bail.

4. The learned Government Advocate (Criminal Side) would submit that the



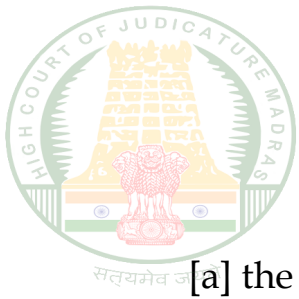
CRL OP(MD). No.9678 of 2025

WEB COPY

defacto complainant is running a flower shop at Sri Kamatchiamman Ekamberswarar Temple, South Masi Street, Madurai and the petitioner is working as Poojari in the said Temple. On 19.05.2025, at about 10.00 a.m., while the defacto complainant was at her shop and looking after the flower sale, the petitioner threatened the defacto complainant to have physical relationship with him and abused in filthy language and also threatened her with dire consequences. He would further submit that already the defacto complainant has gave a complaint against the petitioner on 27.04.2025 and the petitioner was warned by the police. Hence, he opposed to grant bail to the petitioner.

5. Taking into consideration of the facts and circumstances of the case and also taking into consideration of the nature of offences and 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.10,000/- (Rupees Ten Thousand only) with two sureties, each for a like sum to the satisfaction of learned Judicial Magistrate No.IV, Madurai and on further conditions that :-



CRL OP(MD). No.9678 of 2025

WEB COPY

[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 contact number to the learned Judicial Magistrate No.IV, Madurai. If the petitioner changes his residential address, he shall report the same to the concerned Court.

[c] the petitioner shall report 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.

[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



CRL OP(MD). No.9678 of 2025

in P.K.Shaji vs. State of Kerala [(2005)AIR SCW 5560].

WEB COPY

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

sd/-
12/06/2025

/ TRUE COPY /

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

MAC
TO

1. THE JUDICIAL MAGISTRATE NO.IV,
MADURAI.
2. DO THROUGH
THE CHIEF JUDICIAL MAGISTRATE, MADURAI.
3. THE SUPERINTENDENT,
CENTRAL PRISON, MADURAI.
4. THE INSPECTOR OF POLICE,
SOUTH GATE POLICE STATION,
MADURAI DISTRICT.
5. THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.

+1 CC to M/s.S.VIKRAM, Advocate (SR-6215[I] dated 12/06/2025)



WEB COPY



CRL OP(MD). No.9678 of 2025

ORDER

IN

CRL OP(MD) No.9678 of 2025

Date :12/06/2025

HPS/12.06.2025 /6P/7C

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