

**CRL OP(MD). No.9828 of 2025**

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**BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT**

**( Criminal Jurisdiction )**

**Date : 18.06.2025**

**PRESENT**

**The HONOURABLE MR.JUSTICE P.VADAMALAI**

**CRL OP(MD). No.9828 of 2025**

Selvakumar,  
S/o.Vanaraj

...Petitioner / Sole Accused

Vs

The State of Tamil Nadu,  
Rep by the Inspector of Police,  
Vasudevanallur Police Station,  
Tenkasi District.  
(Crime No.189 of 2025)

... Respondent/ Complainant

For Petitioner : Mr.R.Muthuram,  
Advocate.

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

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

**PRAYER** :- For Bail in Crime No.189 of 2025 on the file of the respondent police.



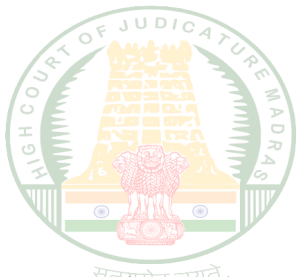
**CRL OP(MD). No.9828 of 2025**

**ORDER**: The Court made the following order :-

The petitioner / accused, who was arrested and remanded to judicial custody on 17.05.2025 for the offences under Sections 296(b), 109(1) and 351(3) of the Bharatiya Nyaya Sanhita, 2023, and Section 74 of the Tamil Nadu Prohibition of Harassment of Woman Act, 1998, in Crime No.189 of 2025 on the file of the respondent police, seeks bail.

2. The case of the prosecution is that the defacto complainant had borrowed a sum of Rs.5,000/- from the petitioner and failed to repay the same. On 16.05.2025 at about 9:30 p.m., while the defacto complainant and his wife were walking near the Kamarajar Statue, Vasudevanallur, the petitioner is said to have abused them using filthy language, attempted to assault the defacto complainant, and further threatened him 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 a false case has been foisted against the petitioner. He would further submit that no injury was caused by the petitioner. He would further



**CRL OP(MD). No.9828 of 2025**

submit that the petitioner is in custody from 17.05.2025. Hence, he seeks bail.

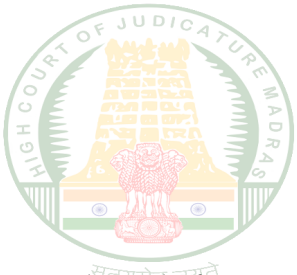
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4. The learned Government Advocate (Criminal Side) would submit that the petitioner abused the defacto complainant using filthy language, attempted to assault him, and further threatened him with dire consequences. He would further submit that there are no previous cases against the petitioner. He, however, would submit that the investigation in this case is still pending and that, at this stage, if bail is granted to the petitioner, he will cause threat to the defacto complainant and tamper with the evidence. He, therefore, opposes the grant of bail to the petitioner.

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

7. Accordingly, the petitioner is ordered to be released on bail on his executing a



**CRL OP(MD). No.9828 of 2025**

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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, Sivagiri, Tenkasi District, 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, Sivagiri, Tenkasi District. If the petitioner changes his residential address, he shall report the same to the learned Judicial Magistrate, Sivagiri, Tenkasi District.

[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.



CRL OP(MD). No.9828 of 2025

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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 of BNS, 2023.

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

sd/-  
18/06/2025

/ TRUE COPY /

18/06/2025  
Sub-Assistant Registrar ( )  
Madurai Bench of Madras High Court,  
Madurai - 625 023.

PAL

TO

1 THE JUDICIAL MAGISTRATE  
SIVAGIRI, TENKASI DISTRICT.



**CRL OP(MD). No.9828 of 2025**

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2 DO THROUGH THE CHIEF JUDICIAL MAGISTRATE  
TENKASI DISTRICT.

3 THE INSPECTOR OF POLICE  
VASUDEVANALLUR POLICE STATION,  
TENKASI DISTRICT

4 THE SUPERINTENDENT  
CENTRAL PRISON, PALAYAMKOTTAI.

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

ORDER  
IN

CRL OP(MD) No.9828 of 2025

Date :18/06/2025

SS/SAR- /18/06/2025/ 6P/6C

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