



CRL OP(MD).No.12266 of 2025

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

Date : 21/07/2025

PRESENT

THE HONOURABLE MR.JUSTICE P.VADAMALAI

CRL OP(MD).No.12266 of 2025

Thanishkumar @ Ashwin,
S/o.Joseph Inbaraj,

..Petitioner/ Accused No.1

Vs

The State of Tamilnadu
rep.by The Inspector of Police,
All Women Police Station,
Pudukottai,
Thoothukudi District.
(Crime No.10 of 2025)

.. Respondent/ Complainant

For Petitioner : M/s.KA.Raamakrishnan
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.



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ORDER: This Court made the following order :-

The petitioner / Accused No.1, who was arrested and remanded to judicial custody on 13.04.2025 for the offences punishable under Sections 376, 448, 506(i), 67 of IPC @ 376, 448, 506(i) of IPC and 4 of TNPHW Act in Crime No.10 of 2025 on the file of the respondent police, seeks bail.

2. The case of the prosecution is that this petitioner had illegitimate intimacy with the defacto-complainant. This petitioner trespassed into the defacto-complainant's house and committed rape and also made criminal intimidation against the victim. Subsequently, other accused persons threatened the victim through digital devices and made harassment against the victim. Hence, the case.

3. The learned counsel for the petitioner would submit that there are totally eight accused persons, this petitioner was arrayed as accused No.1. The respondent police has lodged a false complaint against this petitioner. The Accused Nos. 2 to 8 have mishandled the petitioner and have forcefully taken the phone from him, the petitioner has not misused or misbehaved with the defacto-complainant. The petitioner is an innocent person and he has not committed any offences as alleged



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by the prosecution. The petitioner is ready and willing to abide any conditions that may be imposed by this Court. Other co-accused were enlarged on bail by this Court. He would further submit that the petitioner is in custody from 13.04.2025 nearly 90 days. Hence, he seeks bail.

4. The learned Government Advocate (Criminal Side) would submit that this petitioner having illegal relationship with the defacto-complainant. This petitioner threatened the defacto-complainant and taken obscene photos of the defacto-complainant and shared the same with other accused persons. The Accused Nos. 2 to 8 also threatened the defacto-complainant and have forcible sex with the victim. In this case, investigation completed and the charge sheet has also been filed and the same was taken on file in PRC.No.136 of 2025 on the file Judicial Magistrate No.III, Thoothukudi. There is no previous case against this petitioner. However, he objected to grant bail to the petitioner.

5. Taking into consideration of the facts and circumstances of the case and also taking note of the fact that in this case, investigation has been completed, charge sheet has also been filed and the same was taken on file in PRC.No.136 of 2025 on the file of the learned Judicial Magistrate, No.III, Thoothukudi, the other co-accused



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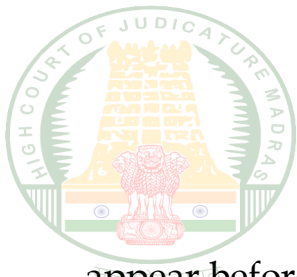
were already released on bail, there is no previous case against this petitioner, the petitioner/accused No.1 remanded into judicial custody on 13.04.2025, taking into consideration of the period of incarceration, this court is inclined to grant bail to the petitioner, subject to the following conditions:

6. Accordingly, the petitioner is ordered to be released on bail on 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 learned Judicial Magistrate No.III, Thoothukudi 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 contact number to the learned Judicial Magistrate No.III, Thoothukudi. If the petitioner changes his residential address, he shall report the same to the learned Judicial Magistrate No.III, Thoothukudi;

[c] the petitioner shall appear and sign before the respondent police daily at 10.30 a.m., except on hearing dates, until further orders; and also the petitioner shall



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appear before the concerned trial Court on hearing dates.

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[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 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 BNS.

sd/-
21/07/2025

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

gvn

To

1. The Judicial Magistrate No.III,
Thoothukudi.



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2. Do Through The Chief Judicial Magistrate,
Thoothukudi.

3. The Officer Incharge, District Prison,
Perurani, Thoothukudi District.

4. The Inspector of Police,
All Women Police Station,
Pudukottai,
Thoothukudi District.

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

ORDER
IN

CRL OP(MD) No.12266 of 2025
Date :21/07/2025

SBN/22.07.2025 6P/6C

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