



CRL OP(MD).No.12764 of 2025

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

Date : 30/07/2025

PRESENT

THE HONOURABLE MR.JUSTICE P.VADAMALAI

CRL OP(MD).No.12764 of 2025

**Mohankumar @ Naveenkumar,
S/o.Raja,**

..Petitioner/ Accused No.4

Vs

**The State of Tamilnadu
rep.by The Inspector of Police,
S.S.Colony Police Station,
Madurai District.
(Crime No.415 of 2025)**

.. Respondent/ Complainant

**For Petitioner : Mr.M.S.Senthil Kumar
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.415 of 2025 on the file of the Respondent Police.

ORDER : This Court made the following order :-

**The petitioner / Accused No.4 who was arrested and remanded to judicial
custody on 12.07.2025 for the offences punishable under Sections 296(b), 115(2), 118**



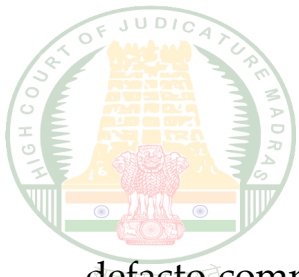
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(1), 351(3) of BNS and Section.3 of TNPPDL Act in Crime No.415 of 2025 on the file
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of the respondent police, seeks bail.

2. The case of the prosecution is that the defacto-complainant is the Transgender and she is running a food shop. On 11.07.2025, this petitioner and other accused persons were sitting near the road side food shop near Vellaikannu Theatre. This petitioner and other accused persons abused the defacto-complainant by using filthy language and assaulted the defacto-complainant. This petitioner and other accused persons have also damaged the chairs and tables in the food shop. Hence, the case.

3. The learned counsel for the petitioner would submit that the respondent police lodged a false complaint against this petitioner. This petitioner is an innocent person and he has not committed any offences as alleged by the prosecution. The petitioner is ready and willing to abide any conditions that may be imposed by this Court. He would further submit that the petitioner is in custody from 12.07.2025, nearly 18 days. Hence, he seeks bail.

4. The learned Government Advocate (Criminal Side) would submit that there are totally four accused persons, this petitioner was arrayed as Accused No.4. The



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defacto-complainant is a transgender and she is running a food shop near Vellaikannu Theatre Road, Madurai. On 11.07.2025, at about 8.40p.m. this petitioner and other accused persons caused disturbance to the customers in the said shop, when the same was questioned by the defacto-complainant, this petitioner and other accused persons were attacked the defacto-complainant and damaged the chairs and tables in the said food shop, worth about Rs.20,000/-. The defacto-complainant had sustained simple injury and she was treated as out patient and later she was discharged from hospital. 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, the injured person was treated as out patient, there is no previous case against this petitioner, the petitioner/accused No.4 is in judicial custody from 12.07.2025, 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



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sureties, each for a like sum to the satisfaction of learned Judicial Magistrate No.5,
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Madurai 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 make a non refundable deposit of Rs.10,000/- (Rupees Ten Thousand only) to the credit of Crime No.415 of 2025, without prejudice to his defence before the trial Court; and on such deposit being made, the learned Judicial Magistrate No.5, Madurai shall accept the sureties furnished by the petitioner;

[c] The petitioner shall furnish her residential address and contact number to the learned Judicial Magistrate No.5, Madurai. If the petitioner changes her residential address, she shall report the same to the learned Judicial Magistrate No.5, Madurai;

[d] the petitioner shall appear and sign before the respondent police daily at 10.30.a.m. until further orders;

[e] the petitioner shall not abscond either during investigation or trial.

[f] the petitioner shall not tamper with evidence or witness either during investigation or trial.



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[g] 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].

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

sd/-
30/07/2025

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

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TO

1. The Judicial Magistrate No.5,
Madurai.
2. The Chief Judicial Magistrate, Madurai.
3. The Superintendent, Central Prison, Madurai.



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4. The Inspector of Police,
S.S.Colony Police Station,
Madurai District.

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

ORDER
IN
CRL OP(MD) No.12764 of 2025
Date :30/07/2025

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