

CRL OP(MD)No.14414 of 2025

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 01.09.2025

PRESENT

THE HONOURABLE MRS. JUSTICE S.SRIMATHY

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D.Velmurugan

... Petitioner/ Accused No.4

Vs

The State of Tamilnadu,
Rep by the Inspector of Police,
All Women Police Station - Orathanadu
Orathanadu, Thanjavur District.
(Crime No.13 of 2024)

... Respondent/ Complainant

For Petitioner : Mr.R.Shankar Ganesh

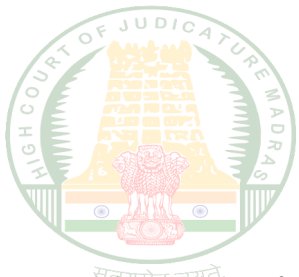
For Respondent : Mr.E.Antony Sahaya Prabahar
Additional Public Prosecutor

PETITION FOR BAIL Under Sec.483 of BNSS

PRAYER :- For Bail in Crime No.13 of 2024 on the file of the respondent police.

ORDER : The Court made the following order :-

The petitioner, who was arrested and remanded to judicial custody on 26.08.2024 for the offences punishable under Sections 127(2), 118(1), 70(1), 351(3), 308



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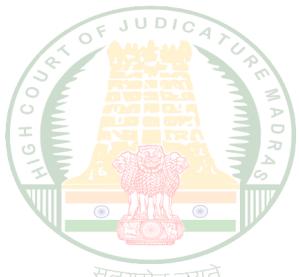
(5), 61(2) of BNS, in Crime No.13 of 2024 on the file of the respondent police and subsequently, charge sheet has been filed in S.C.No.278 of 2024 on the file of the learned Mahalir Neethimandram (Fast Track Mahila Court), Thanjavur, for the offences punishable under Sections 127(2), 118(1), 709(1), 351(3), 308(5), 76, 78 and 54 of BNS, Act, 2023 r/w. 67A of IT Act, 2000, seeks bail.

2. The case of the prosecution is that on 13.08.2024 at about 03.30 p.m., the first accused forcibly took the defacto complainant into a shed near her house, swindled money using her ATM card and snatched her mobile phone along with her jewellery. Thereafter, the petitioner along with the other accused persons, sexually assaulted her. Hence, the complaint.

3. The learned counsel for the petitioner submitted that the petitioner is an innocent person and he has not committed any offences as alleged by the prosecution. He further submitted that the petitioner is in judicial custody from 26.08.2024. Hence, he seeks bail to the petitioner.

4. The learned Additional Public Prosecutor submitted that this is the third bail application. He further submitted that the petitioner along with the other accused persons, sexually assaulted the victim. However, he opposed for grant of bail to the petitioner.

5. Taking into consideration of the facts and circumstances of the case and also



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considering the period of incarceration suffered by the petitioner, 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.10,000/- (Rupees Ten Thousand only) with two sureties, each for a like sum to the satisfaction of the learned Mahalir Neethimandram (Fast Track Mahila Court), Thanjavur, 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 learned Mahalir Neethimandram (Fast Track Mahila Court), Thanjavur.

[c] If the petitioner changes his residential address, he shall report the same to the learned Mahalir Neethimandram (Fast Track Mahila Court), Thanjavur.

[d] the petitioner shall stay at Thoothukudi and appear before the Inspector of police, Thoothukudi South Police Station, daily at 10.30 a.m., until further orders. He has to co-operate for the investigation.

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



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

[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.

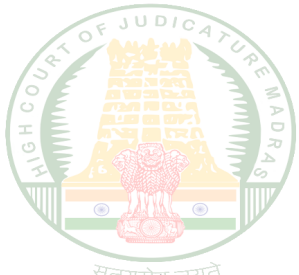
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Sub-Assistant Registrar
Madurai Bench of Madras High Court,
Madurai - 625 023.

jbr
TO

- 1 The Judge, Mahalir Neethimandram (Fast Track Mahila Court), Thanjavur.
- 2 The Superintendent, Central Prison, Trichy.



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3 The Inspector of Police, Orathanadu, Awps, Orathanadu, Thanjavur District.

4 The Inspector of Police, Thoothukudi South Police Station, Thoothukudi.

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

+1 CC to M/s.R.SHANKAR GANESH, Advocate (SR-9425[I] dated 01/09/2025)

ORDER
IN

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Date :01/09/2025

NBF/SAR- /01/09/2025/ 5P/7C

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