

CRL OP(MD)No.16790 of 2025

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

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(Criminal Jurisdiction)

Date : 03.10.2025

PRESENT

THE HONOURABLE MR.JUSTICE M.JOTHIRAMAN

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Rathinam

... Petitioner

Vs

The State Represented by,
The Inspector of Police,
Dindigul Town West Police Station,
Dindigul District.
(Crime No.367 of 2025)

... Respondent

For Petitioner : Mr.S.Balaji

For Respondent : Mr.A.Thiruvadikumar
Additional Public Prosecutor

For Intervener : Mr.D.Karthicraja

PETITION FOR BAIL Under Sec.483 of BNSS

PRAYER:- For Bail in Crime No.367 of 2025 on the file of the respondent police.



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ORDER: The Court made the following order :-

The petitioner, who was arrested and remanded to judicial custody on 09.09.2025 for the offences punishable under Sections 296(b), 351(2), 75(1)(iii), 75(ii), 78(1)(ii) and 78(2) of BNS Act, 2023 and Section 4 of Tamilnadu Prohibition of Harassment of Women Act, 2002 and Section 67A of Information Technology Act, 2000, in Crime No. 367 of 2025 on the file of the respondent police, seeks bail.

2.The case of the prosecution is that the defacto complainant's husband had worked under one Rathinam, who was running a Rehabilitation Centre in the name and style of “ICDS Drugs Rehabilitation Centre”. Thereafter, the husband of the defacto complainant separated from the said rehabilitation centre and started new Rehabilitation Centre in the name and style of Shield. Due to business motive, there was a wordy quarrel arose between them. On 05.09.2025, when the defacto complainant went to shop along with her child at R.M.Colony, V.O.C.Road Junction, the petitioner with intend to insult the defacto complainant abused her in filthy language and also sent

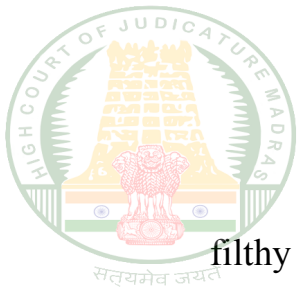


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obscene messages and videos to the defacto complainant's phone and also criminally intimidated her. Hence, the complaint.

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 due to business motive, a false case has been foisted against the petitioner. He further submitted that the petitioner is in judicial custody from 09.09.2025. Hence, he seeks bail to the petitioner. In fact, the petitioner/accused lodged a complaint against the defacto complainant and her husband and mother-in-law and the case is registered in Crime No.174 of 2025 under Section 296(b), 109, 351(3) of BNS Act, 2023, this is purely business motive and false case has been registered.

4.The learned counsel appearing for the intervener vehemently objected for granting bail to the petitioner and further submitted that on 05.09.2025, due to business motive, when the defacto complainant went to shop along with her child at R.M.Colony, V.O.C.Road Junction, the petitioner with intend to insult the defacto complainant abused her in



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filthy language and also sent obscene messages and videos to the defacto complainant's phone and also criminally intimidated her.

5.The learned Additional Public Prosecutor submitted that on 05.09.2025, due to business motive, when the defacto complainant went to shop along with her child at R.M.Colony, V.O.C.Road Junction, the petitioner with intend to insult the defacto complainant abused her in filthy language and also sent obscene messages and videos to the defacto complainant's phone and also criminally intimidated her. He further submitted that the investigation is still pending. Hence, he opposed for grant of bail to the petitioner.

6.Taking into consideration that there is a counter case has been registered and the defacto complainant and others in Crime No.174 of 2025 and the circumstances of the case shows that there is a business dispute exist between them and also considering the period of incarceration suffered by the petitioner, this Court is inclined to grant bail to the petitioner, subject to the following conditions:



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7. 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 the learned Judicial Magistrate Additional Mahila Court, Dindigul 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 Additional Mahila Court, Dindigul District,.

[c] If the petitioner changes his residential address, he shall report the same to the learned Judicial Magistrate Additional Mahila Court, Dindigul District.

[d] the petitioner shall appear before the respondent police **twice in a week ie., on Every Monday and Friday at 10.30 a.m.. until further orders.** He has to co-operate for the investigation.



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[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.

[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.

vsg/rmk

(M J R J)
03.10.2025



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To

1. The Judicial Magistrate Additional Mahila Court,
Dindigul District.
2. The Officer-in-charge,
District Prison, Dindigul.
3. The Inspector of Police,
Dindigul Town West Police Station,
Dindigul District.
4. The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.



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M.JOTHIRAMAN,J.

vsg/rmk

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