



WEB COPY



CRL OP(MD). No.20409 of 2025

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

Date : 18.11.2025

PRESENT
THE HONOURABLE MRS. JUSTICE S.SRIMATHY

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Sarathkumar

... Petitioner/ Sole Accused

Vs

The State of Tamilnadu,
Rep by the Inspector of Police,
AWPS - Palani,
Dindigul District.
(Crime No.44 of 2025)

... Respondent/Complainant

For Petitioner : Mr.R.Sakthivel

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

PETITION FOR BAIL Under Sec.483 of BNSS

PRAYER:- For Bail in Crime No.44 of 2025 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 03.11.2025 for the offences punishable under Sections 85, 296(b), 115(2), 351(2), 76 of BNS, 2023 and Section 4 of Dowry Prohibition Act, 310(4) of BNS, in Crime No.44 of 2025 on the file of the respondent police, seeks bail.



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2. The case of the prosecution is that the petitioner and the defacto complainant were loved each other and married 9 years back. The allegation is that the petitioner is a drunkard and he harassed the defacto complainant demanding dowry and abused her using filthy language and assaulted with hands. 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 03.11.2025. Hence, he seeks bail to the petitioner.

4. The learned Additional Public Prosecutor submitted that due to matrimonial dispute the petitioner and the defacto complainant were separated 9 years back and the petitioner is having no previous case. However, he opposed for grant of bail to the petitioner.

5. Taking into consideration of the facts and circumstances of the case and the nature of offence and the parties are living separately for the past five years and also considering the period of incarceration suffered



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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) each with two sureties, each for a like sum to the satisfaction of the learned Judicial Magistrate, Palani, Dindigul District, and on further conditions that :-

[a] the petitioner and the sureties shall affix their photographs and left thumb impression in the surety bond and the Magistrate may obtain a copy of their Aadhaar card or bank pass book to ensure their identity;

[b] the petitioner shall report before the respondent as and when required;

[c] the petitioner shall not tamper with the evidence or witness either during investigation or trial;

[d] the petitioner shall not abscond either during investigation or trial;



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S.SRIMATHY,J.

PJL

[e] 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 is 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];

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

18.11.2025

PJL

To

1. The Judicial Magistrate,
Palani, Dindigul District.

2. The Superintendent,
Sub Jail at Palani, Dindigul District.

3. The Inspector of Police,
AWPS – Palani, Dindigul District.

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

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