



CRL OP(MD). No.397 of 2026

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 28.01.2026

PRESENT

THE HONOURABLE MRS. JUSTICE S.SRIMATHY

CRL OP(MD)No.397 of 2026

Shiju Gopi

... Petitioner/ Accused

Vs

The State of Tamilnadu,
Rep by the Inspector of Police,
All Women Police Station Marthandam,
Kanniyakumari District.
(Crime No.64 of 2025)

... Respondent/Complainant

For Petitioner : Mr.P.Sonu

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

PETITION FOR BAIL Under Sec.483 of BNSS

PRAYER :- For Bail in Crime No.64 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 12.12.2025 for the offences punishable under Sections 75(1), 64 and 62 of BNS, in Crime No.64 of 2025 on the file of the respondent police, seeks bail.

2. The prosecution case is that on 12.12.2025, at about 4.00 a.m., the petitioner trespassed into the room where the defacto complainant was sleeping, lifted her clothes up to chest level, and misbehaved with 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 12.12.2025. Hence, he seeks bail to the petitioner.

4. The learned Additional Public Prosecutor submitted that the



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offences committed by the accused are serious in nature. He further submitted that the investigation has been completed and the charge sheet has been filed. However, he opposed for grant of bail to the petitioner.

5. Taking into consideration of the fact that the charge sheet has been filed 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:

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 Judicial Magistrate No.I, Kuzhithurai, 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 concerned Judicial Magistrate Court daily at 10.30 a.m. until further orders. The petitioner shall not intimidate or threaten the



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victim and shall not enter the street, house, college, or any other place where the victim normally resides.

[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.

[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.

(S S Y J)
28.01.2026

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To
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1. The Judicial Magistrate No.I,
Kuzhithurai.
2. The Superintendent, Sub Jail,
Nagercoil.
3. The Inspector of Police,
All Women Police Station Marthandam,
Kanniyakumari District.
4. The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.



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S.SRIMATHY,J.

jbr

ORDER
IN
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