



Crl.R.C.(MD)No.582 of 2025

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

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DATED: 18.08.2025

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THE HONOURABLE MRS.JUSTICE L.VICTORIA GOWRI

Crl.R.C.(MD)No.582 of 2025

Navanitha

... Petitioner/Defacto Complainant

Vs.

1.The State of Tamil Nadu,
Rep.by the Inspector of Police,
Chinnamanur Police Station,
Theni District.
(Crime No.439 of 2024)

... Respondent/Complainant

2.A.Arun Kumar

... Respondent/Accused

Prayer : Criminal Revision Case is filed under Section 438 r/w 442 of BNSS, to call for the records on the file of the Learned Principal Sessions Judge, Theni in Cr.M.P.No.542 of 2025 and set aside the order dated 19.03.2025.

For Petitioner : Mr.J.Yogeswaran

For R1 : Mr.M.Sakthi Kumar
Government Advocate(Crl.Side)

For R2 : Mr.D.Saravanan



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ORDER

The present Criminal Revision Petition has been filed by the defacto complainant challenging the order passed by the learned Principal Sessions Judge, Theni, in Crl.M.P.No.542 of 2025 in Crl.M.P.No.414 of 2025 dated 19.03.2025, whereby the petition seeking cancellation of bail granted to the second respondent/accused came to be dismissed.

2. Facts of the Case:

2.1 The petitioner is the defacto complainant in Crime No.439 of 2024 on the file of Chinnamanur Police Station. The case was initially registered under Section 194(3) of the BNS, 2023 (relating to suspicious death) on account of the death of the complainant's daughter by hanging.

2.2 During the investigation, it was revealed that the accused, Arun Kumar, had locked the door of the deceased's house from outside while she was inside conversing with one Ramkumar, when her husband was away for work in Kerala. The incident allegedly gave rise to rumours of an illicit relationship between the deceased and Ramkumar, which, in



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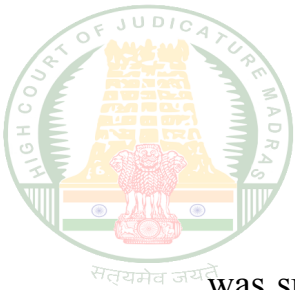
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turn, brought dishonour and disgrace upon her in the eyes of the villagers. Unable to bear the humiliation, the deceased committed suicide.

2.3 The respondent police subsequently arrested both Arun Kumar (arrayed as A1) and Ramkumar (arrayed as A2). Arun Kumar was remanded to judicial custody but was enlarged on bail within eight days. Aggrieved thereby, the petitioner filed Crl.M.P.No.542 of 2025 seeking cancellation of bail, which the learned Sessions Judge rejected on the ground that no compelling case was made out. The present revision is directed against that order.

3. Submissions of the Parties :

3.1 Petitioner's Counsel: The learned counsel for the petitioner submitted that the act of the accused in indulging in "moral policing" locking the deceased inside her home with another man and spreading scandalous rumours across the village directly led to her suicide. It was argued that such conduct, which amounts to harassment of women and an invasion into their dignity, cannot be condoned. Granting bail so early, it



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was submitted, emboldens such wrongdoers. Reliance was placed on the judgment of the Hon'ble Supreme Court in ***State through CBI v. Amarmani Tripathi***¹, pointing out that “The Court granting bail should exercise it's discretion in a judicious manner and not as a matter of course. Though at the stage of granting bail a detailed examination of evidence and elaborate documentation of the merit of the case needn't be undertaken, there is a need to indicate in such orders reasons for prima-facie concluding why bail was being granted”.

3.2 The learned counsel for the 2nd respondent: Per contra, learned counsel submitted that the accused has been complying with all bail conditions, particularly appearing twice daily before the respondent police, and there is no allegation of misuse of liberty. It was further argued that bail once granted should not be cancelled mechanically unless there are supervening circumstances .

3.3 Learned Government Advocate (Crl. Side): Supporting the order of the Trial Court, the learned Government Advocate submitted that the investigation has been altered and the offences now stand under

¹ (2005) 8 SCC 21)



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Sections 127(2), 296(b), and 108 of the BNS, 2023, which pertain to abetment and acts leading to suicide. He contended that the accused had undergone eight days of judicial custody and that the Trial Court had rightly exercised discretion in granting bail.

4. Analysis :

4.1 I have carefully considered the rival submissions and perused the records. The Supreme Court has consistently held that cancellation of bail must be justified either by (a) supervening circumstances, (b) misuse of liberty, or (c) manifest perversity in the grant of bail (*X v. State of Telangana*²).

4.2 However, this Court cannot be oblivious to the dangerous and regressive practice of moral policing, which has no sanction in law. In fact, the Supreme Court has condemned acts of self-appointed vigilantes interfering with personal liberties (*Shakti Vahini v. Union of India*³). Women, particularly in rural societies, are the worst victims of such vigilante acts. Such behaviour not only infringes Article 21 of the Constitution—guaranteeing dignity and liberty—but also contributes to

2 2018 SCC Online SC 2192

3 (2018) 7 SCC 192



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social ostracisation and, in cases like the present one, pushes victims towards tragic ends.

4.3 It must also be emphasised that the dignity of women is constitutionally protected under Article 21 of the Constitution of India, which guarantees the right to life and personal liberty, encompassing the right to live with dignity and without social humiliation. The acts of moral policing, particularly targeting women, amount to a direct assault on this constitutional guarantee. Furthermore, India, being a signatory to the Convention on the Elimination of All Forms of Discrimination Against Women (CEDAW), is bound to ensure that women are not subjected to gender-based discrimination, stigma, or social violence. Similarly, Article 17 of the International Covenant on Civil and Political Rights (ICCPR) protects every individual against arbitrary interference with privacy, honour, and reputation. These international obligations, read in harmony with the constitutional mandate under Article 21, reinforce the principle that women must be safeguarded from vigilante actions that tarnish their dignity and compromise their fundamental rights.



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4.4 While the learned Sessions Judge has not found grounds to cancel bail, I am of the view that the conditions of bail must be further strengthened and strictly monitored. This approach balances the rights of the accused under Article 21 (personal liberty) with the societal interest in preventing misuse of bail and deterring moral policing.

5. Accordingly, though I find no infirmity warranting cancellation of bail, I direct that the condition imposed by the Trial Court requiring the accused to report to the respondent police twice daily at 10.00 a.m. and 5.00 p.m. shall continue for a further period of one year. This prolonged compliance is intended to instil discipline and to serve as a deterrent against further acts of moral policing. With the above modification, the Criminal Revision Petition is disposed of .

6. Accordingly the Criminal Revision Case disposed with modification in bail conditions.

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NCC : Yes / No
Index : Yes / No



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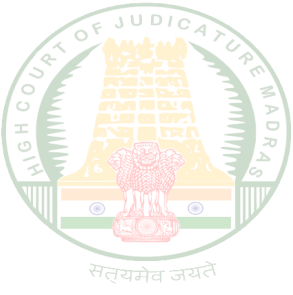
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To

- 1.The Principal Sessions Judge,
Theni.
- 2.The Inspector of Police,
Chinnamanur Police Station,
Theni District.
- 3.The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.



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L.VICTORIA GOWRI ,J.

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Order made in
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