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CRL OP No. 23114 of 2



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 19-08-2026

CORAM

THE HON'BLE MR.JUSTICE N.RAMESH

CRL OP No. 23114 of 2026

Maruthappan
S/o.Sathasivam.
Residing at, No.20, 14th Street,
K.M.Garden,
Pulliyathope,
Chennai - 600 012.

..Petitioner(s)

Vs

The State Rep. by, The Inspector of Police
AWPS W-16, Puliyanthope Police Station,
Chennai.

..Respondent(s)

PRAYER : Criminal Original Petition filed under Section 483 of Bharatiya Nagarik Suraksha Sanhita, 2023, to grant bail for the Petitioner in Cr.No.14 of 2026 on the file of W-16, AWPS Pulianthope Police Station, Chennai and pass such or other and further order which may deem fit in the circumstances of this case and thus render justice.

For Petitioner(s): M/s. Balaganesan

For Respondent(s): Mr.M.M.I.Khaleel, Govt.Advocate (Crl.Side)

ORDER

The petitioner, who was arrested and remanded to judicial custody on 27.04.2026 for the alleged offences under Section 331 and 64(2)(K) of BNS in Crime No.14 of 2026 on the file of the respondent police, seeks bail.



2. The allegation against the petitioner is that the petitioner trespassed into the house of the victim and committed rape on her, who is aged about 78 years and she is a mentally disordered person. Hence, this case.

3. The learned counsel for the petitioner submitted that this is the third application filed by the peittioner. He further submitted that the petitioner has been incarcerated since 27.04.2026. He further submitted that investigation has been completed and charge sheet has been filed which was taken cognizance in PRC.No.32 of 2026. Hence, he prays to grant bail to the petitioner.

4. The learned Government Advocate (Crl.Side) appearing for the respondent police reiterated the prosecution case and submitted that investigation has been completed and charge sheet has been taken cognizance in PRC 32 of 2026 and now the case is posted for the next hearing on 17.09.2026. However, he opposed to grant bail to the petitioner.

5. I have given my anxious consideration to the submissions made by the learned counsel on either side and perused the materials available on record.

6. Considering the gravity of the allegation, the fact that the victim is a 78 year-old mentally disordered person, the period of long incarceration by the petitioner, and the fact that the charge sheet has been filed and the case has



been taken on file in PRC.No.32 of 2026, this Court is inclined to enlarge the petitioner on bail subject to certain conditions.

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7. Accordingly, the petitioner is ordered to be released on bail on his 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 Additional Mahila Judicial Magistrate & Metropolitan Magistrate, Egmore, Chennai**, and on further conditions that:

[a] the sureties shall affix their photographs and Left Thumb Impression in the Application for Surety ship [Judicial Form No.46 annexed to 'The Criminal Rules of Practice, 2019']. The learned Magistrate shall obtain a copy of any one of the identity proofs to ensure their identity;

[b] the petitioner shall report before the trial Court daily at 10.30 a.m, until further orders;

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

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

[e] On breach of any of the aforementioned conditions, the learned Magistrate/Trial Court is entitled to pass appropriate orders against the petitioner in accordance with law as if the aforementioned 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)13**



SCC 283];

[f] If the accused thereafter absconds, a fresh FIR can be registered under Section 269 of B.N.S.

19-08-2026

DRL

Note:

1. Registry is directed to forthwith upload this order in the Official Website of this Court.

2. All concerned to act on this order being uploaded in Official Website of this Court without insisting on certified hard copies. To be noted, this order when uploaded in the official website of this Court will be watermarked and will also have a QR code.

To

1.The Additional Mahila Judicial Magistrate and Metropolitan Magistrate, Egmore, Chennai.

2. The Inspector of Police
AWPS W-16, Puliyanthope Police Station,
Chennai.

3.The Superintendent,
Central Puzhal Prison, Chennai.

4.The Public Prosecutor,
High Court, Madras.



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N.RAMESH, J.

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