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CrI.O.P.No.27003 of 2024

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 28.10.2024

CORAM

THE HON'BLE MR. JUSTICE P.DHANABAL

CrI.O.P.No.27003 of 2024

Sanjay

...Petitioner/Sole Accused

Vs.

State rep by
Station House Officer
Nellikuppam Police Station
Cuddalore District.
(Crime No.364 of 2024)

...Respondent/Complainant

PRAYER: Criminal Original Petition filed under Section 483 of Bharatiya Nagarik Suraksha Sanhita, 2023 praying to enlarge the petitioner on bail in Cr.No. 364 of 2024 on the file of the respondent police.

For Petitioner : Mr. M.P.Yuvaraj

For Respondent : Mr.S.Vinothkumar
Government Advocate (CrI. Side)



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bail to the petitioner stating that the petitioner had trespassed into the house of the defacto complainant and attempted to commit rape on his sister and there is no previous case against the petitioner.

5. Heard both sides and perused the materials available on record.

6. Considering the submissions made on both sides, considering the nature of allegations levelled against the petitioners and also taking into consideration the period of incarceration undergone by the petitioner from 22.08.2024 and also the petitioner has no previous case, this Court is inclined to grant bail to the petitioner with certain conditions:

[a]. Accordingly, the petitioner is ordered to be released on bail on his 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 court of *Additional Mahila Court, Cuddalore*, and on further conditions that:

[b] the petitioner shall report before the jurisdictional Magistrate, on all working days at 10.30 a.m. until further orders;

[c] The petitioner shall attend in accordance with the conditions of



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the bond;

[d] The petitioner shall not commit any offence similar to the offence of which he is accused, or suspected, or of the commission of which he is suspected;

[e] The petitioner shall not abscond either during investigation or trial;

[f] the petitioner shall not directly or indirectly make any inducement, threat or promise to any person acquainted with the facts of the case so as to dissuade him from disclosing such facts to the court or to any police officer or tamper with evidence;

[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



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of Kerala [(2005)AIR SCW 5560]; and

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

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vsg

To

1. Additional Mahila Court, Cuddalore.

2. Central Prison, Cuddalore.

3. Station House Officer
Nellikuppam Police Station
Cuddalore District.

4. The Public Prosecutor,
High Court of Madras.

P.DHANABAL, J.

vsg



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