



WEB COPY

Crl.O.P.No.28520 of 20



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 14.11.2024

CORAM

THE HON'BLE MR. JUSTICE A.D.JAGADISH CHANDIRA

Crl.O.P.No.28520 of 2024

Ravi

... Petitioner/A1

Vs.

The State represented by,
The Inspector of Police,
All Women Police Station,
Perambalur.

(Crime No.8 of 2020).

... Respondent

PRAYER: Criminal Original Petition filed under Section 483 of BNSS Act, pleaded to enlarge the petitioner on bail in Crime No.8 of 2020 on the file of the respondent police.

For Petitioner : Mr.M.Vijayaragavan

For Respondent : Mr.Leonard Arul Joseph Selvam
Government Advocate (Crl.Side)

ORDER

This Criminal Original Petition has been filed by the petitioner, who was arrested and remanded to judicial custody on 30.10.2024, seeking bail in Crime No.8 of 2020 registered for the offence under Sections 294(b), 417 and 376 of IPC.



WEB COPY

2. The case of the prosecution is that the petitioner induced the defacto complainant, xxxx and on the promise of marriage, committed sexual intercourse with her and thereafter cheated her. Hence, the case.

3. Learned counsel appearing for the petitioner submitted that the petitioner is innocent and a false complaint has been given. He further submitted that it is true that the petitioner had a relationship with the victim girl and later, the petitioner got work in USA and he had gone abroad. In the meanwhile, the victim, fearing that the petitioner may not return, had given a false complaint, based on which, the case has been registered in the year 2020. He further submitted that the victim has now married with another person and the petitioner, while returning back to India, was arrested at the Airport based on a lookout circular. He further submitted that the petitioner has been in custody from 30.10.2024 and he is ready to abide by any stringent conditions that may be imposed by this Court. Hence, he prayed for grant of bail to the petitioner.

4. Learned Government Advocate (Crl.Side) appearing for the respondent police, while opposing for grant of bail to the petitioner, submitted that petitioner induced the defacto complainant, xxxx and on the



promise of marriage, committed sexual intercourse with her and thereafter cheated her. He further submitted that since the petitioner went abroad an absconding charge sheet has been filed and thereafter, based on lookout circular, he was arrested. He further submitted that the statement of the victim under Section 183(5) of BNSS has been recorded.

5. Heard the learned counsel appearing for the petitioner and the learned Government Advocate (Crl.Side) for the respondent Police and perused the materials available on record including the statement recorded from the victim under Section 183(5) of BNSS.

6. Taking into consideration the facts and circumstances of the case, the submissions made by the learned counsel on either side and the fact that the case is of the year 2020 and the period of incarceration undergone by the petitioner, this Court is inclined to grant bail to the petitioner with certain conditions.

7. Accordingly, the petitioner is ordered to be released on bail on his executing a bond for a sum of **Rs.15,000/- (Rupees Fifteen Thousand only)** with **two sureties**, each for a like sum to the satisfaction of the learned



Judicial Magistrate, Mahila Court, Perambalur, and on further conditions

that:

[a] the sureties shall affix their photographs and Left Thumb Impression in the surety bond and the Magistrate may obtain a copy of their Aadhar card or Bank pass Book to ensure their identity;

[b] the petitioner shall appear before Additional Mahila Court, Perambalur, on all working days at 10.30 a.m., for a period of two weeks and thereafter, on the dates fixed by the Trial Judge.

[c] the petitioner shall not abscond during trial and shall co-operate for speedy disposal of the trial;

[d] the petitioner shall not tamper with evidence or witness during 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 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 B.N.S.

14.11.2024

ata



To
WEB COPY

1. The Judicial Magistrate, Mahila Court, Perambalur.
2. The Inspector of Police,
All Women Police Station,
Perambalur.
3. Sub Jail, Perambalur.
4. The Public Prosecutor,
High Court of Madras.



WEB COPY

Crl.O.P.No.28520 of 20



A.D.JAGADISH CHANDIRA.,J.

ata

Crl.O.P.No.28520 of 2024

14.11.2024