



WEB COPY



Crl.O.P.No.30766 of 2024

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 12.12.2024

CORAM

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

Crl.O.P.No.30766 of 2024

Vignesh Sekar @ S.Vignesh

... Petitioner

Vs.

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

(Crime No.12 of 2024).

... Respondent

PRAYER : Criminal Original Petition filed under Section 483 of Bharatiya Nagarik Suraksha Sanhita, 2023, pleased to enlarge the petitioner on bail, in connection with Crime No.12 of 2024, pending investigation on the file of the respondent Police.

For Petitioner : Mr.S.Magimai Raj

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

ORDER

Petition seeking bail in respect of Crime No.12 of 2024 registered for the offences punishable under Sections 69 and 351(2) of BNS, is on board for consideration.



Crl.O.P.No.30766 of 2024

WEB COPY

2. The incarceration of the petitioner being from 07.11.2024 pleading innocence on the part of the petitioner and false implication in the case, learned counsel for the petitioner seeks indulgence of this Court. He also submits that the de facto complainant is a married lady and the relationship between the petitioner and the de facto complainant is consensual and since the petitioner's marriage has been fixed, the de facto complainant has given a false complaint against him. He further submits that the petitioner is ready to abide by any stringent condition that may be imposed by this Court.

3. The case of the prosecution as putforth by the learned Government Advocate (Criminal Side) appearing for the respondent police, opposing for grant of bail, is that the petitioner/accused, on the promise of marrying the de facto complainant, who was a divorcee, induced the de facto complainant and had a physical relationship with her, due to which, she became pregnant and on knowing the same, the accused compelled her to abort and cheated her. Thereafter, the petitioner started avoiding the de facto complainant and attempted to marry someone else and also threatened her with dire consequences. He further submits that the investigation in this case is still pending.

4. Having heard the learned counsel for the petitioner and the learned



CrI.O.P.No.30766 of 2024

Government Advocate (Criminal Side) for the respondent Police and perused the materials available on record and considering the period of incarceration undergone by the petitioner, this court is inclined to grant bail to the petitioner with certain conditions and 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 No.I, Poonamallee**, 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 report before the respondent Police, everyday 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 evidence or witness 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 released on bail



WEB COPY



CrI.O.P.No.30766 of 2024

by the learned Magistrate/Trial Court himself as laid down by the

A.D.JAGADISH CHANDIRA.,J.

ham

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 of B.N.S.

12.12.2024

ham

To

1. The Judicial Magistrate No.I,
Poonamallee.
2. The Inspector of Police,
All Women Police Station,
Valasaravakkam, Chennai.
3. The Superintendent,
Central Prison,
Puzhal, Chennai.
4. The Public Prosecutor,
High Court of Madras.

CrI.O.P.No.30766 of 2024