

19.09.2025

36

jb.

jdt.

Allowed

C.R.M. (M) 1518 of 2025

In Re : An Application under Section 439 of the Code of Criminal Procedure/under Section 483 of the Bharatiya Nagarik Suraksha Sanhita, 2023 filed in connection with Uttarpur Police Station Case No. 151/2025 dated 17.07.2025 under Sections 318(4)/64(1)/115(2)/329(4)/76/351(2) of the Bharatiya Nyaya Sanhita.

And

In Re : Thigneshwar Eswaran @ Thignosh Esuranan

Mr. Dipanjan Chatterjee
Mr. Dibyendu Bhattacharya
Mr. Prateep Bera
Ms. Kakan Das
Ms. Rimpa Adhikari

... For the Petitioner.

Mr. Soumik Ganguly
Sana Naaz

... For the State

Learned counsel for the petitioner submits that the petitioner is in custody for more than 2 months. There was consensual relationship between the parties. He has been falsely implicated. He prays for bail.

Learned counsel for the State opposes the prayer.

I have considered the material on record.

There appears to have been consensual relationship between the parties which turned sour subsequently. The victim is a major and was aware of the consequences of such relationship all throughout. Charge sheet has been submitted. The victim has refused medical examination.

Considering the material on record, this Court is of the view that further detention of the petitioner is not required. He may be released on bail.

Accordingly, the prayer for bail is allowed.

The petitioner namely Thigneshwar Eswaran @ Thignosh Esuranan shall be released on bail upon furnishing bond of Rs.10,000/- (Rupees Ten Thousand only), with two sureties of like amount each, one of whom must be local, to the satisfaction of the learned Additional Chief Judicial Magistrate, Serampore subject to condition that he shall not enter the jurisdiction of Uttara para police station where the victim resides and shall appear before the learned trial Court on every date of hearing fixed by the learned trial Court. He shall not tamper with evidence or intimidate witnesses in any manner whatsoever. Learned counsel for the petitioner submits that the petitioner shall presently reside within the jurisdiction of Kolkata and shall furnish the address where he shall presently reside before the learned trial Court, the investigating officer and the concerned officer in charge of the police station under whose jurisdiction he shall presently reside.

In the event the petitioner fails to adhere to any of the conditions stated hereinabove, the learned trial Court shall be at liberty to cancel his bail in accordance with law without further reference to this Court.

The application for bail is disposed of.

All parties shall act on the server copy of this order duly downloaded from the official website of this Court.

Urgent certified website copy of this order, if applied for, be supplied to the parties upon compliance with all requisite formalities.

(Suvra Ghosh, J.)