



WEB COPY



Crl.O.P.No.229 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 08.01.2025

CORAM

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

Crl.O.P.No.229 of 2025

Jayaprakash

... Petitioner

Vs.

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

(Crime No.34 of 2024)

... Respondent

**PRAYER :** Criminal Original Petition filed under Section 483 of Bharatiya Nagarik Suraksha Sanhita, 2023, pleaded to enlarge the petitioner on bail, in connection with Crime No.34 of 2024 on the file of the respondent.

For Petitioner : Mr.R.Elavarasan

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

**ORDER**

Petition seeking bail in respect of Crime No.34 of 2024 registered for the offences punishable under Sections 64(2)(k), 62 of BNS and Section 92(b) of the Rights of Persons with Disabilities Act, 2016, is on board for consideration.



Crl.O.P.No.229 of 2025

WEB COPY

2. The incarceration of the petitioner being from 10.10.2024 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 petitioner is the neighbour of the de facto complainant and there was a misunderstanding between them, due to which, a false and exaggerated complaint has been given. He further submits that though the complaint shows that the petitioner is stated to have sexually assaulted the victim, the medical examination of the victim does not support the case of the prosecution. He also submits that the petitioner understands that the medical examination of the victim does not show any evidence of penetrative sexual assault on her. He further submits that the petitioner, aged about 20 years, is in custody for more than two months even after completion of investigation and further, 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, who is the neighbour of the victim girl, aged about 20 years, who is intellectually disabled, had misbehaved with her and inappropriately touched her private parts. He further submits that the statement under Section 183 of BNSS has been recorded from the victim and the charge



CrI.O.P.No.229 of 2025

sheet has also been filed before the learned Judicial Magistrate, Ranipet and it is yet to be numbered.

4. Having heard the learned counsel for the petitioner, the learned Government Advocate (Criminal Side) for the respondent Police and perused the materials available on record including the medical records and the statement recorded from the victim girl under Section 183 of BNSS and considering the period of incarceration undergone by the petitioner and that the investigation has also been completed, 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 bond a for a sum of **Rs.15,000/- (Rupees Fifteen Thousand only)** with **two sureties (out of which, one of the sureties should be either the father or mother of the petitioner)**, each for a like sum to the satisfaction of the learned **Judicial Magistrate, Ranipet**, 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 stay at Chennai and report before the Inspector of Police, B1 North Beach Police Station, Chennai, everyday at 10.30 a.m., until further orders;**

[c] the petitioner shall not abscond during trial;



WEB COPY



Crl.O.P.No.229 of 2025

**A.D.JAGADISH CHANDIRA.,J.**

*ham*

[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 of B.N.S.

**08.01.2025**

*ham*

To

1. The Judicial Magistrate, Ranipet.
2. The Inspector of Police,  
All Women Police Station,  
Ranipet, Ranipet District.
3. The Superintendent,  
Central Prison, Vellore.
4. The Public Prosecutor,  
High Court of Madras.
5. The Inspector of Police,  
B1, North Beach Police Station,  
Chennai.

**Crl.O.P.No.229 of 2025**