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Crl.O.P.No.1230 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED :23.01.2025

CORAM

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

Crl.O.P.No.1230 of 2025

Sriram

.. Petitioner

Vs.

State represented by Inspector of Police,
AWPS Vedaranyam,
Nagapattinam District. (Crime No. 3 of 2024)

... Respondent

PRAYER : Criminal Original Petition filed under Section 483 of Bharatiya
Nagarik Suraksha Sanhita, 2023, to enlarge the petitioner on bail in connection
with Crime No. 3 of 2024 on the file of the respondent.

For Petitioner : Mr.J. Jawahar

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

ORDER

Petition seeking bail in respect of Crime No.3 of 2024 registered for the
offence punishable under Section 376(2)(1) of IPC is on board for consideration.

2.The incarceration of the petitioner being from 13.11.2024 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



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due to professional rivalry a false case has been filed against the petitioner. He also submits that the victims are majors and the relationship between them is consensual in nature. He also submits that substantial portion of investigation has been completed. He also submits that the petitioner is no way connected with the alleged offences and he 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 an astrologer is said to have committed rape on the de facto complainant, as a result she gave birth to a female child, subsequently the child was handed over to a home. He further submits that a statement under Section 183(5) of BNSS also recorded from the victim.

4.Having heard the learned counsel for the petitioner and the learned Government Advocate (Criminal Side) for the respondent Police and perused the materials available on record including the statement of the victim recorded under Section 183(5) of BNSS 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



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two sureties, each for a like sum to the satisfaction of the learned District Munsif cum Judicial Magistrate, Vedaranyam 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 Tiruvannamalai and report before the Inspector of Police, Tiruvannamalai Town Police Station, everyday at 06.30 p.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 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.



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A.D.JAGADISH CHANDIRA, J.

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To

1. The District Munsif cum
Judicial Magistrate,
Vedaranyam.
2. The Inspector of Police.
AWPS Vedaranyam,
Nagapattinam District.
3. The Inspector of Police
Tiruvannamalai Town Police Station
Tiruvannamalai
4. The Superintendent,
Sub Jail, Nagapattinam.
5. The Public Prosecutor,
High Court of Madras.

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