



Crl.O.P.No.2583 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 03.02.2025

CORAM

THE HON'BLE MR. JUSTICE SUNDER MOHAN

Crl.O.P.No.2583 of 2025

Harish

... Petitioner

Vs.

The State Represented by,
The Inspector of Police,
Pallipalayam Police Station,
Namakkal District.
(Crime No.383 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.383 of 2024, pending investigation on the file of the respondent Police.

For Petitioner : Mr. M. Vijaya Ragavan

For Respondent : Mr. A. Gopinath
Government Advocate (Crl.Side)



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ORDER

Petition seeking bail in respect of Crime No.383 of 2024 registered for the alleged offences punishable under Sections 194 @ 69 and 108 of BNS, is on board for consideration.

2. The case of the prosecution is that, the defacto complainant, who is the father of the deceased lodged a complaint before the respondent police stating that, his daughter and the petitioner herein were in a love affair and the petitioner on the false promise of marrying the defacto complainant's daughter had sexual intercourse with her, thereafter, refused to marry her, due to which, the defacto complainant's daughter had committed suicide on 24.12.2024. Hence, this case.

3. Learned counsel appearing for the petitioner submits that the petitioner is innocent and he has been falsely implicated in this case and has not committed any offence as alleged by the prosecution. He also submitted that the petitioner has been arrested and remanded to judicial custody on 25.12.2025. He also submitted that the petitioner is ready to abide by any stringent condition that may be imposed by this Court and to appear and co-



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operate for the investigation, therefore, prayed to grant bail to the petitioner.

4. Learned Government Advocate (Criminal Side) appearing for the respondent police, while opposing for granting of bail to the petitioner submitted that the petitioner had cheated the defacto complainant's daughter by giving false assurance of marrying her and had sexual intercourse with her, due to which, the defacto complainant's daughter committed suicide on 24.12.2024. He also submitted that the petitioner has no previous case and further investigation of this case is pending.

5. Heard the learned counsel appearing for the petitioner, the learned Government Advocate (CrI.Side) for the respondent Police and perused the materials available on record.

6. Taking into consideration the facts and circumstances of the case, the nature of allegation, the submissions made by the learned counsels on either side, the period of incarceration and since further custody of the petitioner is not required for the purpose of investigation, this Court is inclined to grant bail to the petitioner with certain conditions.



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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 (out of which, one surety shall be a blood related surety)**, each for a like sum to the satisfaction of the **learned Judicial Magistrate, Kumarapalayam** 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 on 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



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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.

03.02.2025

stn

To

1. The Judicial Magistrate,
Kumarapalayam.
2. The Inspector of Police,
Pallipalayam Police Station,
Namakkal District.
3. The Superintendent,
Central Prison, Salem.
4. The Public Prosecutor,
High Court of Madras.



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SUNDER MOHAN, J.

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