



Crl. O.P. No.6607 of 2025

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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 12.03.2025

CORAM

THE HON'BLE MR. JUSTICE SUNDER MOHAN

Crl. O.P. No.6607 of 2025

Deepan S/o. Kannan

... Petitioner / Accused

Vs.

The State represented by:

The Inspector of Police,
W-18 All Women Police Station,
M.K.B. Nagar, Chennai.
(Crime No.22 of 2024).

... Respondent

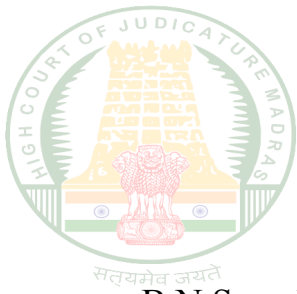
PRAYER: Criminal Original Petition filed under Section 483 of BNSS, pleaded to enlarge the petitioner on bail, in connection with the Crime No.22 of 2024, pending investigation on the file of the respondent Police.

For Petitioner : Mr. P.N. Vignesh

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

ORDER

This Criminal Original Petition has been filed by the petitioner, who was arrested and remanded to judicial custody on 27.12.2024, seeking bail in Crime No.22 of 2024 registered for the offences under Sections 74, 75(1), 75(2) of



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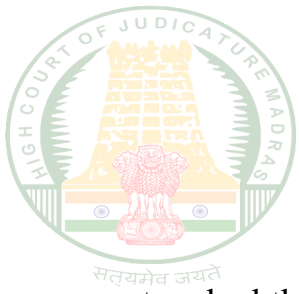
B.N.S. and Section 4 of the The Prohibition of Harassment of Women act.

2. The case of the prosecution is that the victim girl, aged 24 years, is mentally challenged; that the victim's sister came to know through CCTV footage that some stranger entered into the house of the victim and inappropriately touched the breast of the victim and sexually abused her and thus committed the aforesaid offences.

3. The learned counsel appearing for the petitioner submitted that the allegations against the petitioner are false; that in any case, considering the nature of allegations and period of incarceration, further custody of the petitioner is not required and prayed for grant of bail.

4. Learned Government Advocate (Crl.Side) appearing for the respondent police, reiterated the prosecution case and produced the copy of the statement of the victim recorded under Section 184 B.N.S.S. and copy of FIR.

5. A perusal of the said statement and the FIR reveals that the complaint was lodged on the statement made by the victim to the defacto complainant, who is her sister. The allegation against the petitioner is that he inappropriately



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touched the breast of the victim.

6. Considering the aforesaid facts, the nature of allegations against the petitioner, and considering the period of incarceration, this Court is of the view that further custody of the petitioner is not required for the purpose of investigation. Hence, this Court is inclined to grant bail to the petitioner with certain conditions.

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**, each for a like sum to the satisfaction of the **Additional Mahila Court, Egmore, Chennai** 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 appear before the respondent Police Station daily at 10.30 a.m., until further orders;

[c] the petitioner shall not abscond either during investigation or trial;



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[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 B.N.S.

12.03.2025

mjs

To

1. The Additional Mahila Court, Egmore, Chennai.
2. The Inspector of Police, W-18 All Women Police Station, M.K.B. Nagar, Chennai.
3. The Superintendent of Police, Central Prison, Puzhal, Chennai.
4. The Public Prosecutor, High Court of Madras.



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SUNDER MOHAN., J.

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