



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 12.03.2025

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THE HONOURABLE MR.JUSTICE SUNDER MOHAN

Crl.O.P.No.7118 of 2025

S.Akash

...Petitioner/Accused 1

Vs.

State rep by
The Inspector of Police,
Vengal Police Station,
Thiruvallur District.

(Crime No.75 of 2025)

... Respondent

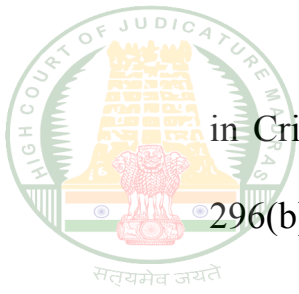
PRAYER: This criminal original petition has been filed under Section 483 of BNSS to enlarge the petitioner on bail in Crime No.75 of 2025 pending investigation on the file of the respondent police.

For Petitioner : Mr.M.D.Ilayaraja

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 25.02.2025, seeking bail



in Crime No.75 of 2025 registered for the offence under Sections 126(2), 296(b), 74, 76, 87 and 351(3) of BNS.

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2.It is the case of the prosecution that on 25.02.2025 at about 5.45 p.m., while the victim aged 19 years was returning home, the petitioner along with the other accused had waylaid her, abducted her in a two-wheeler and took her to nearby bush and tried to remove her dress and when she shouted for help the public approached, and the accused escaped from the scene of occurrence. Hence, the case.

3.The learned counsel for the petitioner would submit that the allegations are false; that the petitioner and the defacto complainant's daughter had a love affair which was objected by the defacto complainant and hence a false complaint was given; and that considering the period of incarceration, the petitioner may be released on bail.

4.Per contra, the learned Government Advocate (Crl. Side) reiterated the prosecution case and confirmed the fact that the petitioner and the defacto complainant's daughter had a love affair.



5. Heard the learned counsel on either side and perused the materials available on record.

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6. Considering the aforesaid facts, the nature of allegations and 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, Thiruvallur**, 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, twice a week i.e., on every Monday and Thursday 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;

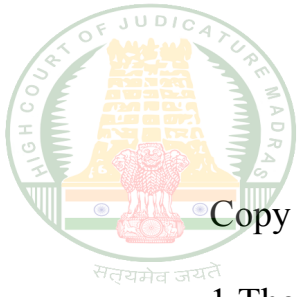
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[e] On breach of any of the aforesaid conditions, the learned Magistrate/Trial Court is entitled to take appropriate action against the petitioner in accordance with law as if the conditions have been imposed and the petitioner released on bail by 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

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Copy to:

1. The Inspector of Police,
Vengal Police Station,
Thiruvallur District.

2. The Additional Mahila Court, Thiruvallur.

3. Sub Jail, Tiruvallur.

4. The Public Prosecutor,
High Court, Madras.



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SUNDER MOHAN, J.

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