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Crl.O.P.No.7559 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 14.03.2025

CORAM

THE HONOURABLE MR.JUSTICE SUNDER MOHAN

Crl.O.P.No.7559 of 2025

R.V.Yogeshwar

...Petitioner/Accused

Vs.

State rep by
The Inspector of Police,
Sevvapet Police Station.

(Crime No.41 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.41 of 2025 pending investigation on the file of the respondent police.

For Petitioner : Mr.S.Thirukkumaran

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 16.02.2025, seeking bail



in Crime No.41 of 2025 registered for the offence under Sections 296(b),
75, 351(2) of BNS.

2.It is the case of the prosecution that on 15.02.2025 at about 8.00 a.m., when the defacto complainant, who is a trans gender along with her friends were coming near Aranvoyalkuppam Pradiksha College, the petitioner along with the other accused had teased the defacto complainant and tried to abuse her with the intention to outrage her modesty and also threatened her with dire consequences. Hence, the case.

3.The learned counsel for the petitioner would submit that the allegations are false; that co-accused has been released on bail by this Court in Crl.O.P.No.6504 of 2025 on 07.03.2025; and that in any case, considering the period of incarceration, he may be released on bail.

4.Per contra, the learned Government Advocate (Crl. Side) reiterated the prosecution case and opposed for the grant of bail.



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

6.Considering the nature of allegations, period of incarceration and the fact that the similarly placed co-accused has been granted bail by this Court in Crl.O.P.No.6504 of 2025 on 07.03.2025 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.

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 **Judicial Magistrate No.II, Tiruvallur**, 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, everyday at 10.30 a.m., until further orders;



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

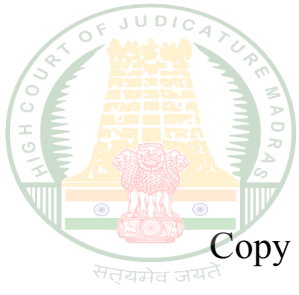
[d] the petitioner shall not tamper with evidence or witness either during investigation or trial;

[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 B.N.S.

14.03.2025

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- 1.The Inspector of Police,
Sevvapet Police Station.
- 2.The Judicial Magistrate – II, Tiruvallur.
- 3.The Superintendent of Prison,
Central Prison, Puzhal.
- 4.The Public Prosecutor,
High Court, Madras.



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SUNDER MOHAN, J.

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