



Crl. O.P. No.8106 of 2025

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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 20.03.2025

CORAM

THE HON'BLE MR. JUSTICE SUNDER MOHAN

Crl. O.P. No.8106 of 2025

A. Poolpandian S/o. Ayyasamy

... Petitioner / Accused

Vs.

The State represented by:

The Inspector of Police,
All Women Police Station,
Tiruppur.
(Crime No.4 of 2025).

... Respondent

PRAYER: Criminal Original Petition filed under Section 483 of BNSS, pleaded to enlarge the petitioner on bail, in connection with the Crime No.4 of 2025, pending investigation on the file of the respondent Police.

For Petitioner : Mr. B. Shankar

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 07.02.2025, seeking bail in Crime



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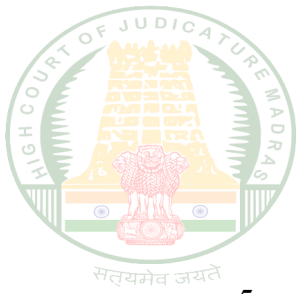
No.4 of 2025 registered for the offences under Sections 417 and 376 of IPC.

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2. The case of the prosecution is that the petitioner and the defacto complainant had a love affair; that on the promise of marriage, he had sexual intercourse with the victim, who is aged about 36 years, on several occasions; that thereafter, since the petitioner's parents demanded dowry, the marriage did not take place and the petitioner thus, committed aforesaid offences.

3. The learned counsel appearing for the petitioner would submit that admittedly the petitioner and the victim had sexual relationship for a period of 3 years; that the allegations re false and considering the age of the petitioner and the victim, in any case, 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 confirmed that the petitioner and the victim had a love affair and that since, the petitioner's parents demanded dowry, marriage did not take place.



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5. Admittedly, the petitioner and the victim had a love affair and had sexual relationship for a period of 3 years. The relationship between the two of them is consensual. Considering the aforesaid facts, nature of allegations 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.

6. 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, Tiruppur** 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 every day at 10.30 a.m., until further orders;

[c] the petitioner shall not abscond either during



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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.

20.03.2025

mjs

To

1. The Additional Mahila Court, Tiruppur.
2. The Inspector of Police, All Women Police Station, Tiruppur.
3. The Superintendent of Police, Central Prison, Tiruppur.
4. The Public Prosecutor, High Court of Madras.



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SUNDER MOHAN., J.

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