



CrI.O.P.No.8186 of 2025

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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 20.03.2025

CORAM

THE HONOURABLE MR.JUSTICE SUNDER MOHAN

CrI.O.P.No.8186 of 2025

Sakthikapoor

...Petitioner/Accused

Vs.

State rep by
The Inspector of Police,
Chengam All women Police Station (AWPS),
Tiruvannamalai District.

(Crime No.12 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.12 of 2025 pending investigation on the file of the respondent police.

For Petitioner : Mr.E.Sathiyaraj

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



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ORDER

This Criminal Original Petition has been filed by the petitioner, who was arrested and remanded to judicial custody on 26.02.2025, seeking bail in Crime No.12 of 2025 registered for the offence under Section 69, 296(b), 131, 316(2) and 351(3) of BNS, 2023.

2.It is the case of the prosecution that the petitioner and the defacto complainant had a love affair; that the petitioner, on the promise of marriage, had sexual intercourse with the victim (aged 25 years) on several occasions; that the petitioner induced the victim and received a sum of Rs.1,50,000/- on several occasions; that thereafter, the petitioner refused to marry the defacto complainant and when the defacto complainant questioned the same, the petitioner abused her in filthy language and threatened her of dire consequences. Hence, the case.

3.The learned counsel for the petitioner would submit that the allegations are false and that in any case, considering the period of incarceration, he may be released on bail and sought for bail.



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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, the fact that there was a consensual relationship between the petitioner and the defacto complainant, 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 **Judicial Magistrate, Chengam, Tiruvannamalai District**, and on further conditions that:



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[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.

[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.

20.03.2025

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Copy to:

- 1.The Inspector of Police,
Chengam All women Police Station (AWPS),
Tiruvannamalai District.
- 2.The Judicial Magistrate, Chengam, Tiruvannamalai District.
- 3.Central Prison, Vellore.
- 4.The Public Prosecutor,
High Court, Madras.



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SUNDER MOHAN, J.

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