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Crl.O.P.No.10354 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 07.04.2025

CORAM

THE HON'BLE MR. JUSTICE SUNDER MOHAN

Crl.O.P.No.10354 of 2025

Venkadesan

.. Petitioner/ Accused 4

Vs.

The State Rep. By,
The Inspector of Police,
All Women Police Station, Kancheepuram,
Kancheepuram District.
(Crime No.12 of 2025)

... Respondent

PRAYER: Criminal Original Petition filed under Section 483 of Bharatiya Nagarik Suraksha Sanhita, 2023, pleased to enlarge the petitioner on bail, in connection with Crime No.12 of 2025, pending investigation on the file of the respondent.

For Petitioner : Mr.M.P.Yuvaraj

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



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ORDER

Petition seeking bail in respect of Crime No.12 of 2025 registered for the alleged offences punishable under Section 4 of Tamil Nadu Prohibition of Harassment of Woman (Amendment) Act, 2002 and Sections 351(2), 351(3), 62, 64(1), 76, 79, 87 of BNS Act, is on board for consideration.

2. The case of the prosecution is that on 23.02.2025 at about 07:00 p.m., while the defacto complainant and her friend was on their way to a provision shop, the petitioner along with other accused followed the defacto complainant, abused her using filthy language; that one of the accused threatened the defacto complainant using knife and forcefully took her to a vacant site and attempted to rape her; that thereafter, the defacto complainant pushed him down, escaped from the spot and lodged a complaint before the respondent. Hence, this case.

3. The learned counsel appearing for the petitioner submitted that the petitioner is innocent, he has been falsely implicated in this case and he has not committed any offence as alleged by the prosecution; that the



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petitioner has been arrested and remanded to judicial custody on 25.02.2025; that the similarly placed co-accused were granted bail by this Court in CrI.O.P.No.10116 of 2025 dated 04.04.2025 and further custody of the petitioner is not required and he prayed for bail to the petitioner.

4. The learned Government Advocate (CrI. Side) appearing for the respondent reiterated the prosecution case and on instruction submitted that there are totally 4 accused in this case and the petitioner is arrayed as A4 and that the investigation is pending, hence opposed the bail to the petitioner.

5. Considering the nature of allegation against the petitioner and the period of incarceration undergone by the petitioner and the fact that the similarly placed co-accused were granted bail by this Court in CrI.O.P.No.10116 of 2025 dated 04.04.2025 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.

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**



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only) with two sureties, each for a like sum to the satisfaction of the **learned**

Judicial Magistrate No.II at Kancheepuram 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;

[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];



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[f] If the accused thereafter abscond, a fresh FIR can be registered under Section 269 of B.N.S.

07.04.2025

rkp

To

1. The Judicial Magistrate No.II,
Kancheepuram.
2. The Inspector of Police,
All Women Police Station, Kancheepuram,
Kancheepuram District.
(Crime No.12 of 2025)
3. The Superintendent,
Central Prison, Puzhal.
4. The Public Prosecutor,
High Court of Madras.



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SUNDER MOHAN, J.

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