



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 14.05.2025

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THE HON'BLE MR. JUSTICE M. NIRMAL KUMAR

CrI.O.P. No.12631 of 2025

Vishal

..Petitioner/Accused

/versus/

State represented by
The Sub Inspector of Police,
K.V.Kuppam Police Station,
Vellore District,
Crime No.35/2025

.. Respondent/Complainant

PRAYER: Criminal Original Petition filed under Section 483 of Bharatiya
Nagarik Suraksha Sanhita, 2023, pleased to enlarge the petitioner on bail in
Crime No.35 of 2025 pending investigation on the file of the respondent.

For Petitioner : Mr. B.S.Manikandan

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



ORDER

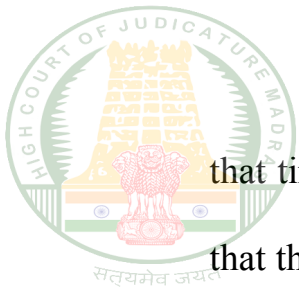
Petition seeking bail in connection with Crime No.35 of 2025

registered for the alleged offences punishable under Sections 92(b) of RPD Act 2016 and Sections 329(4), 64(2)(k) of BNS, is on board for consideration.

2. It is alleged against the petitioner that the petitioner attempted to commit rape on the victim girl.

3. The learned counsel appearing for the petitioner submitted that the petitioner has been falsely implicated in this case. According to the petitioner, the petitioner only pulled the victim's hair and did nothing more. He further submitted that the petitioner was arrested on 28.02.2025 and he is ready to abide by any stringent conditions that may be imposed by this Court and prayed for bail to the petitioner.

4. The learned Government Advocate (Crl. Side) appearing for the respondent on instruction submitted that the petitioner is a neighbour and he went to the house of the defacto complainant, assaulted the daughter of the defacto complainant by tearing her cloth and also attempted to rape her. At



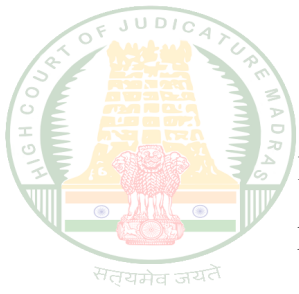
that time, the victim girl raised alarm and pushed him. He fairly submitted that the medical record shows nail abrasion on both hands as well as back of neck and chest. However, sexual abuse could not be ruled out. He further submitted that the investigation completed and charge sheet has been filed.

5. Taking into consideration the facts and circumstances of the case, considering the nature of allegation against the petitioner, the submissions made by the learned counsels on either side and as per the medical report, the sexual abuse could not be ruled out and also the period of incarceration undergone by the petitioner, this Court is inclined to grant bail to the petitioner. Accordingly, the petitioner is ordered to be released on bail with the following conditions:

(1) The petitioner shall execute a bond for **Rs.10,000/- (Rupees Ten Thousand only)** with two sureties each for a like sum to the satisfaction of the **learned Judicial Magistrate, Katpadi;**

(2) **The petitioner shall appear before the respondent police on every Monday at 10:30 a.m., till the case is taken on file and thereafter, report before the trial Court on all the hearing dates.**

(3) The sureties shall affix their photographs and left thumb impression in the Application for Suretyship [Judicial Form No.46 annexed to 'The Criminal Rules of Practice, 2019']. The learned



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Metropolitan Magistrate shall obtain a copy of any one of identity proofs to ensure their identity;

(4) The petitioner shall make himself available for interrogation by a Police Officer as and when required;

(5) The petitioner shall not directly or indirectly cause any threat to the defacto complainant and witnesses;

(6) The petitioner to give an undertaking that if required for being identified by witnesses during investigation or for police custody beyond the first fifteen days, he shall comply to the directions as may be given by the Court in this regard;

(7) On breach of any of the aforementioned conditions, the learned Metropolitan Magistrate is entitled to pass appropriate orders against the petitioner in accordance with law as if the aforementioned conditions are imposed by themselves as laid down by the Hon'ble Supreme Court in P.K.Shaji Vs. State of Kerala [(2005)13 SCC 283].

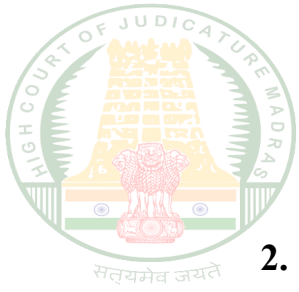
(8) If the accused thereafter absconds, a fresh FIR can be registered under Section 269 of B.N.S.

14.05.2025

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Note:-

1. Registry is directed to forthwith upload this order in the



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official website of this Court.

2. All concerned to act on this order being uploaded in official website of this Court without insisting on certified hard copies. To be noted, this order when uploaded in official website of this Court will be watermarked and will also have a QR code.

To

1. The Judicial Magistrate, Katpadi.
2. The Sub Inspector of Police,
K.V.Kuppam Police Station,
Vellore District,
Crime No.35/2025
3. The Superintendent,
Central Prison, Vellore.
4. The Public Prosecutor, High Court, Madras.

M. NIRMAL KUMAR, J.



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