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CRL O.P. No.14417 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

Dated : 08.05.2025

CORAM

THE HON'BLE MRs.JUSTICE L.VICTORIA GOWRI

CRL OP.No.14417 of 2025

Sivakumar

... Petitioner / Accused 1

Vs

State rep. by
The Inspector of Police,
Kammapuram Police Station,
Cuddalore District.

(Crime No.41 of 2025)

... Respondent

PRAYER: - The Criminal Original Petition is filed under Section 483 of the Bharatiya Nagarik Suraksha Sanhita, (BNSS) 2023, praying to enlarge the petitioner on bail in Crime No.41 of 2025 on the file of the respondent police.

For Petitioner : Mr.T.Meganathan

For Respondent : M/s.J.R.Archana
Government Advocate
(Criminal Side)



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ORDER

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The petitioner, who was arrested and remanded to judicial custody on 24.03.2025, for the offences punishable under Sections 296(b), 351(3), 64 of BNS, 2023, and Section 67(A) of Information Technology Act, in Crime No.41 of 2025, on the file of the respondent, seeks bail.

2.The case of the prosecution is that the petitioner along with the other accused threatened the defacto complainant at knife point and committed rape on her and also taken photos and videos of the defacto complainant and threatened her to extort money. Hence, the case.

3.The learned counsel for the petitioner would submit that the petitioner is innocent and he has been falsely implicated in this case. He would further submit that the petitioner has been in custody from 24.03.2025. He would further submit that the petitioner is ready to abide by any stringent condition that may be imposed by this Court. Hence, he prays for grant of bail to the petitioner.

4.Per contra, the learned Government Advocate (Crl. Side)



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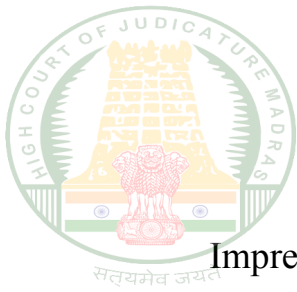
reiterated the prosecution case and submitted that investigation has been completed and charge sheet has been filed.

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

6.Considering the fact that the investigation has been completed and charge sheet has been filed, the period of incarceration undergone by the petitioner from 24.03.2025 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, subject to the following conditions:

7.Accordingly, the petitioner is ordered to be released on bail on his executing a bond for a sum of **Rs.10,000/- (Rupees Ten Thousand only)** with **two sureties**, each for a like sum to the satisfaction of the **Judicial Magistrate No.II, Vriddhachalam**, and on further conditions that:

[a] the sureties shall affix their photographs and Left Thumb



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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 daily at 10.30 a.m., for a period of three months and thereafter, as and when required for investigation.

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

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

[f] 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]***;

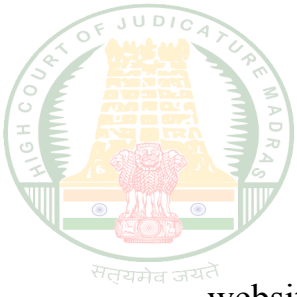
[g] If the accused thereafter absconds, a fresh FIR can be registered under Section 269 B.N.S.

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Note :

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1.Registry is directed to forthwith upload this order in the 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 No.II, Vriddhachalam.

2.The Inspector of Police,
Kammapuram Police Station,
Cuddalore District.

3.The Superintendent of Prison,
Central Prison, Cuddalore District.

4.The Public Prosecutor, High Court, Madras.

L.VICTORIA GOWRI, J.



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