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CrI.O.P.No.15889 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED :22.05.2025

CORAM

THE HON'BLE MR. JUSTICE N.SENTHILKUMAR

CrI.O.P.No.15889 of 2025

Sivaprasath

... Petitioner

Vs.

The State represented by,
The Inspector of Police,
All Women Police Station- East,
Coimbatore City.
(Crime No.26 of 2025).

... Respondent

PRAYER: Criminal Original Petition filed under Section 483 of B.N.S.S.,
pleased to enlarge the petitioner on bail, in Crime No.26 of 2025 on the file
of the respondent Police.

For Petitioner : Mr.M.Vijaya Ragavan

For Respondent : Mr.V.J.Priyadarsana
Government Advocate (CrI.Side)

ORDER



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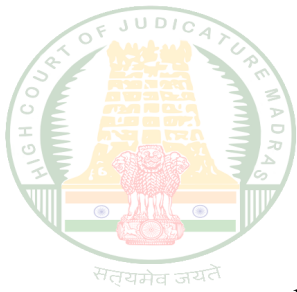
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The petitioner, who was arrested and remanded to judicial custody on 10.05.2025, for the alleged offence punishable under Section 69 of BNS, 2023 [Old Corresponding Section 376D of IPC] in Crime No.26 of 2025, on the file of the respondent police, seeks bail.

2. The case of the prosecution is that the petitioner on the pretext of marrying the defacto complainant had committed penetrative sexual assault on her and thereafter refused to marry her. Hence, the complaint.

3. Learned counsel appearing for the petitioner submitted that the petitioner is an innocent person and he has been falsely implicated in this case. He would further submit that the petitioner was arrested and he is in judicial custody from 10.05.2025 and he is ready to abide by any conditions that may be imposed by this Court. Hence, he prayed for grant of bail to the petitioner.

4. Learned Government Advocate (Crl.Side) appearing for the



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respondent police reiterated the prosecution case and thereby opposed for grant of bail to the petitioner.

5. Heard both sides and perused the materials available on record including the First Information Report.

6. Considering the submissions of the learned counsel on either side and the period of incarceration undergone by the petitioner, and also considering all others factors, this Court is inclined to grant bail to the petitioner, subject to certain 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 learned **Judicial Magistrate, Additional Mahila Court, Coimbatore** 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;



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[b] the petitioner shall report before the respondent police daily at 10.30.a.m., for a period of eight weeks and thereafter as and when required for interrogation;

[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.

22.05.2025

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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. Judicial Magistrate,
Additional Mahila Court, Coimbatore.
2. The Inspector of Police,
All Women Police Station- East,
Coimbatore City.
3. The Superintendent,
Central Prison, Coimbatore.
4. The Public Prosecutor,
High Court of Madras.

N.SENTHILKUMAR, J.

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