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CRL OP No. 17100 of 2025



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 16-06-2025

CORAM

THE HONOURABLE MR JUSTICE M. NIRMAL KUMAR

CRL OP No. 17100 of 2025

GOPAL

Petitioner

Vs

The State Rep by,
The Inspector of Police,
Jolarpet Police Station, Tirupattur
District. Cr.No.132/2025.

Respondent

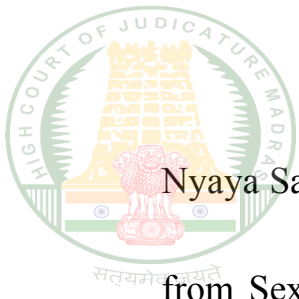
PRAYER Criminal Original Petition filed under Section 483 of Bharatiya Nagarik Suraksha Sanhita, 2023, to enlarge the petitioner/accused on bail in Cr.No.132/2025 on the file of the Jolarpet Police Station, Tirupattur District.

For Petitioner: Mr.S.Mageshkumar

For Respondent: Mr.L.Baskaran
Government Advocate (Crl. Side)

ORDER

The petitioner, who was arrested and remanded to judicial custody on 19.05.2025, for the offences punishable under Sections 351(2) of Bharatiya



Nyaya Sanhita (BNS), 2023 r/w Sections 11(1), 11(4), 12 of Protection of Child

from Sexual offences Act and 4 of Tamil Nadu Prohibition of Harassment of

Women Act in connection with Crime No.132 of 2025, registered on the file of

the respondent, seeks bail.

2. The case of the prosecution is that the petitioner had sexually assaulted the victim girl aged about 17 years, due to which, she attempted to commit suicide by consuming poison. When the same was questioned by the defacto complainant, he abused him in a filthy language and threatened with dire consequences. Hence, the case.

3. The contention of the petitioner is that the petitioner is innocent and has been falsely implicated in this case and there is no previous case against the petitioner. The learned counsel further submitted that the petitioner is suffering incarceration from 19.05.2025 and he is ready to abide by any stringent condition that may be imposed by this Court. Hence, he prayed for grant of bail to the petitioner.



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4. Learned Government Advocate (Crl. Side) appearing for the respondent police reiterated the prosecution case and further submitted that if the petitioner is released on bail, he would tamper the witnesses and endangering the life of the victim, and that the investigation is still pending and strongly opposed for release of the petitioner on bail.

5. Heard both sides and perused the materials available on record.

6. Considering the facts and circumstances of the case, nature of allegations, submissions made by the learned counsels on either side, and the period of incarceration undergone by the petitioner, 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.10,000/- (Rupees Ten Thousand only)** with **two sureties**, each for a like sum to the satisfaction of the **learned Principal District and Sessions Judge, Tirupattur** and on further conditions that:



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[a] the sureties shall affix their photographs and Left Thumb Impression in the Application for Surety ship [Judicial Form No.46 annexed to 'The Criminal Rules of Practice, 2019']. The learned Magistrate shall obtain a copy of any one of the identity proofs to ensure their identity;

[b] the petitioner shall report before the respondent Police, everyday at 10.30 a.m., for a period of two weeks and thereafter, as and when required for further interrogation;

[c] the petitioner shall make himself available for interrogation by a Police Officer as and when required;

[d] the petitioner shall not directly or indirectly cause any threat to the de facto complainant and witnesses;

[e] 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;

[f] On breach of any of the aforementioned conditions, the learned Magistrate/Trial Court is entitled to pass appropriate orders against the petitioner in accordance with law as if the



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aforementioned 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)13 SCC 283];

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

16-06-2025

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Index: Yes/No

Speaking/Non-speaking order

Internet: Yes

Neutral Citation: Yes/No

Note :

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 the official website of this Court will be watermarked and will also have a QR code.



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To
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- 1.The Inspector of Police,
Jolarpet Police Station, Tirupattur District.
Cr.No.132/2025.
- 2.The Superintendent,
Central Prison, Vellore.
- 3.The Principal District and Sessions Judge,
Tirupattur.
- 4.The Public Prosecutor,
High Court of Madras,
Chennai – 600 104.



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M.NIRMAL KUMAR J.

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