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Crl.O.P.No.18390 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 26.06.2025

CORAM

THE HONOURABLE MR. JUSTICE M.NIRMAL KUMAR

Crl.O.P.No.18390 of 2025

Ravindran

... Petitioner

Vs.

The State of Tamil Nadu,
Rep. by The Inspector of Police,
All Women Police Station,
Thiruvallur.
(Cr.No.16 of 2025)

... Respondent

PRAYER : Criminal Original Petition filed under Section 483 of Bharatiya
Nagarik Suraksha Sanhita, 2023, to enlarge the petitioner on bail in Crime
No.16 of 2025 pending on the file of the respondent.

For Petitioner : Mr.D.S.Rajasekaran

For Respondent : Mr.A.Gokulakrishnan
Additional Public Prosecutor

ORDER

The petitioner, who was arrested and remanded to judicial custody
on 07.06.2025, for the offence punishable under Sections 69, 351(1) of BNS
Act in Crime No.16 of 2025, registered on the file of the respondent, seeks
bail.



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2. The contention of the petitioner is that the defacto complainant is a married woman and she got separated from her husband and living alone with her son for the past four year and that the petitioner is the neighbor and she developed relationship with him and also insisted him to marry her, for which, the petitioner refused, however, defacto complainant lodged a false complaint as if the petitioner had committed rape on her.

3. Learned Additional Public Prosecutor appearing for the respondent police, while opposing for grant of bail to the petitioner stating that the defacto complainant is 7 month pregnant and due to the act of the petitioner, the child would become bastardised.

4. In reply, the learned counsel for the petitioner submitted that, if there is a proof that the petitioner is the father, he undertook to maintain the child and for that reason, the relationship cannot be termed as adultery.

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



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6. Considering the facts and circumstances of the case, submissions made by the learned counsels on either side, 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 **Additional Mahila Magistrate, Thiruvallur** and on further conditions that:

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



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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 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.

26.06.2025

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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.

To

- 1.The Additional Mahila Magistrate, Thiruvallur.
- 2.The Inspector of Police,
All Women Police Station,
Thiruvallur.
- 3.The Central Prison,
Puzhal.
- 4.The Public Prosecutor,
High Court of Madras.



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M.NIRMAL KUMAR, J.

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