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CrI.O.P.No.19791 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 16.07.2025

CORAM

THE HONOURABLE MR.JUSTICE M.NIRMAL KUMAR

CrI.O.P.No.19791 of 2025

S.Tejas

... Petitioner

Vs.

State rep. by
The Inspector of Police,
All Women Police Station,
Uthukottai,
Thiruvallur District.
(Crime No.17 of 2025)

... Respondent

PRAYER: Criminal Original Petition is filed under Section 483 of BNSS, to
enlarge the petitioner on bail pending investigation in Crime No.17 of 2025
on the file of respondent Police.

For Petitioner : Mr.M.D.Ilayaraja

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



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ORDER

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The petitioner who was arrested and remanded to judicial custody on 07.06.2025 in connection with Crime No.17 of 2025 for offence under Sections 69, 318(4) of BNS r/w 67 of Information Technology Act on the file of the respondent Police, seeks bail.

2. Case of the prosecution is that the petitioner and defacto complainant, a married woman, had a love affair through Instagram for several months. When the relationship was came to the knowledge of defacto complainant's family, she came out from the house and joined the petitioner in Chennai. Thereafter, the petitioner booked a hotel and had physical relationship with the defacto complainant, but later refused to marry her. Hence, the complaint.

3. The learned counsel for the petitioner submits that the petitioner is innocent and he no way connected with the prosecution case. Considering the period of incarceration, the bail may be granted to the petitioner.

4. The learned Government Advocate (Crl. Side) appearing for the



respondent Police submits that the petitioner is the native of Karnataka and the defacto complainant is from Uttar Pradesh and both had love affair through Instagram. In the guise of marriage, the petitioner had physical relationship with the defacto complainant in a hotel at Chennai and thereafter refused to marry her. Both the petitioner and defacto complainant are major.

5.Considering the submissions and on perusal of the materials, it is seen that the petitioner, a college student came in contact with defacto complainant through Instagram. Both of them are major. Initially, they had developed friendly relationship and later they were in close relationship with each other. It is also seen that the defacto complainant is still a wife to the Police Constable in Uttar Pradesh. Now, she claims that her marriage relationship is broken and the petitioner refused to marry her. When the defacto complainant's marriage is in subsistence, she cannot make such claim.

6.Taking into consideration the facts and circumstances of the case



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and period of incarceration, 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 learned District Munsif cum Judicial Magistrate, Uthukottai 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 appear before the respondent Police daily at 10.30 a.m., for a period of two 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 defacto 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;



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[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.

16.07.2025

Speaking Order/Non Speaking Order

Index : Yes/No

Neutral Citation: Yes/No

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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.



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M.NIRMAL KUMAR, J.

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To

- 1.The District Munsif cum Judicial Magistrate,
Uthukottai.
- 2.The Central Prison-II,
Puzhal, Chennai.
- 3.The Inspector of Police,
All Women Police Station,
Uthukottai,
Thiruvallur District.
- 4.The Public Prosecutor,
Madras High Court.

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