



Crl.O.P.No.19930 of 2025

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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 06.08.2025

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THE HON'BLE MR. JUSTICE M.NIRMAL KUMAR

Crl.O.P.No.19930 of 2025

Dhinakaran

... Petitioner

Vs.

The State represented by,
The Inspector of Police,
All Women Police Station-Tiruvarur,
Tiruvarur District.
(Crime No.22 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.22
of 2025 pending investigation on the file of the respondent Police.

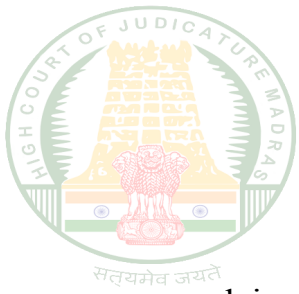
For Petitioner : Mr.M.Vijaya Ragavan

For Respondent : Mr.R.Vinothraja
Government Advocate (Criminal Side)

ORDER

The petitioner, who was arrested and remanded to judicial custody on
20.06.2025 for the offences under Sections 69, 296(b), 318(2) and 351(2) of
BNS, in Crime No.22 of 2025, on the file of the respondent, seeks bail.

2. The case of the prosecution is that the petitioner/accused, under the
false promise of marriage, forcibly had sexual intercourse with the de facto



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complainant. Subsequently, the petitioner also assured the parents of the victim that he would marry the victim, due to which, the engagement that had been arranged by the victim's parents with another person was cancelled. However, later, the petitioner refused to marry the victim and cheated her. When the victim and her family questioned the accused in this regard, he abused and threatened them. Hence the case.

3. The contention of the learned counsel appearing for the petitioner is that the petitioner is innocent and has been falsely implicated in this case. He further submitted that the petitioner and the victim were in love for more than five years and their relationship is consensual and due to some misunderstanding, they got separated. However, the de facto complainant has lodged false complaint against the petitioner to harass him. Hence, he prayed for the grant of bail.

4. Learned Government Advocate (Criminal Side) appearing for the respondent police reiterated the prosecution case and opposed for granting bail to the petitioner.

5. Heard both sides and perused the materials available on record including the victim's statement under Section 183 BNSS.

6. Considering the facts and circumstances of the case and taking note of the statement given by the victim and also considering the period of



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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 **Additional Mahila Court (Magistrate Level), Tiruvarur**, 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 everyday 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 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



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M.NIRMAL KUMAR, J.

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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.

06.08.2025

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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 Court,
(Magistrate Level), Tiruvarur.
2. The Inspector of Police,
All Women Police Station, Tiruvarur,
Tiruvarur District.
3. The Superintendent,
District Jail, Nagapattinam.
4. The Public Prosecutor,
High Court of Madras.

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