



WEB COPY



Crl.O.P.No.19943 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 06.08.2025

CORAM

THE HON'BLE MR. JUSTICE M.NIRMAL KUMAR

Crl.O.P.No.19943 of 2025

Samuvel

... Petitioner

Vs.

The State represented by,
The Sub Inspector of Police,
Arakkonnam AWPS,
Ranipet District.
(Crime No.24 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.24 of 2025 pending investigation on the file of the respondent Police.

For Petitioner : Mr.R.Parthiban

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

ORDER

The petitioner, who was arrested and remanded to judicial custody on 01.07.2025, for the offences under Section 69 of BNS in Crime No.24 of 2025, on the file of the respondent, seeks bail.



Crl.O.P.No.19943 of 2025

WEB COPY

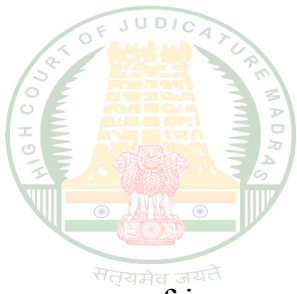
2. The case of the prosecution is that the petitioner, under the false promise of marriage, forcibly had sexual intercourse with the de facto complainant and later, cheated her. Hence the case.

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 de facto complainant is a divorcee and the relationship between the de facto complainant and the petitioner is consensual. He also submitted that there was a misunderstanding within the petitioner's family in accepting the de facto complainant upon knowing that she was a divorcee and that the petitioner's family refused to proceed with the marriage, therefore, on account of which, the de facto complainant has given a false complaint. Hence he prayed for the grant of bail to the petitioner.

4. Learned Government Advocate (Criminal Side) appearing for the respondent police reiterated the prosecution case and opposed for granting bail to the petitioner. He further produced the statement recorded from the victim.

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, the submission made by the learned counsel appearing on either side and taking note of the period



Crl.O.P.No.19943 of 2025

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 **Judicial Magistrate No.II, Arakkonam**, 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 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 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

M.NIRMAL KUMAR, J.



Crl.O.P.No.19943 of 2025

WEB COPY

ham

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

ham

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 Judicial Magistrate No.II, Arakkonam.
2. The Inspector of Police,
Arakkonnam AWPS, Ranipet District.
3. The Superintendent, Central Prison, Vellore.
4. The Public Prosecutor, High Court of Madras.

Crl.O.P.No.19943 of 2025