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Crl.O.P.No.20690 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 23.07.2025

CORAM

THE HONOURABLE MR. JUSTICE M.NIRMAL KUMAR

Crl.O.P.No.20690 of 2025

1.V.Sundaram

2.Hari @ Harikrishnan

... Petitioners/A1 & A2

Vs.

The State Rep. By
The Inspector of Police,
All Women Police Station,
Koyambedu, Chennai – 600 107.

... Respondent

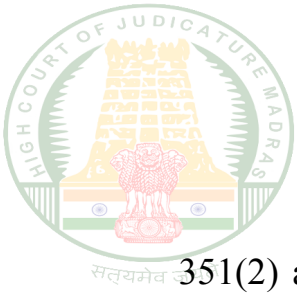
PRAYER : Criminal Original Petition filed under Section 483 of Bharatiya
Nagarik Suraksha Sanhita, 2023, to enlarge the petitioners on bail pending
investigation in Crime No.11 of 2025 on the file of the respondent police.

For Petitioner : Mr.R.Narendren

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

ORDER

The petitioners, who were arrested and remanded to judicial
custody on 17.06.2025, for the offences punishable under Sections 64, 69,



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351(2) and 115(2) of BNS, 2023 in connection with Crime No.11 of 2025, registered on the file of the respondent, seek bail.

2. The case of the prosecution is that the de-facto complainant was working as dancer in a Bar at Bangalore. She got acquainted with the first petitioner through her sister. Thereafter she left the job. On the date of occurrence, the first petitioner's driver/A2 called her and took her to the first petitioner's house. The first petitioner spoke to her in tempting words and promised to marry her. On believing his words she had sexual intercourse with the first petitioner and left to her house. After 4 months, the second petitioner called her stating that first petitioner wanted to meet her. When she visited the first petitioner house, she was informed that first petitioner had taken the intimate video of them and threatened to circulate the same in social media and had sexual intercourse with her. On the same month, the second petitioner called her to meet the first petitioner and both of them had sexual intercourse with the de-facto complainant, due to which, the de-facto complainant became pregnant. Hence, the case.



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3. The learned counsel for the petitioners submitted that the petitioners are innocent persons and they are no way connected with the alleged offence. The petitioners are ready for any DNA test. He further submitted that the petitioners are ready to abide by any stringent conditions that may be imposed by this Court and he prays to grant bail to the petitioners.

4. The learned Government Advocate (Criminal Side) appearing for the respondent police while opposing for grant of bail to the petitioners reiterated the prosecution case and submitted that the mobile phones have been seized from the petitioners and sent for forensic examination.

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

6. Considering the nature of allegations, the period of incarceration undergone by the petitioner and the mobile phones have been seized from the petitioners, further the petitioners are ready for any DNA test, this Court is inclined to grant bail to the petitioners with certain conditions.



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7. Accordingly, the petitioners are ordered to be released on bail on their executing a bond for a sum of **Rs.10,000/- (Rupees Ten Thousand only) each**, with **two sureties**, each for a like sum to the satisfaction of the learned **Metropolitan Magistrate, Additional Mahila Court, Egmore**, 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 petitioners shall report before the respondent Police everyday at 10.30 a.m. until further orders;

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

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

[e] the petitioners to give an undertaking that if required for being identified by witnesses during investigation or for police custody beyond the first fifteen days, they 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



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pass appropriate orders against the petitioners in accordance with law as if the aforementioned conditions have been imposed and the petitioners 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.

23.07.2025

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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.



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To

1.The Metropolitan Magistrate,
Additional Mahila Court, Egmore.

2.The Inspector of Police,
All Women Police Station,
Koyambedu, Chennai – 600 107.

3.The Superintendent,
Central Prison, Puzhal,
Chennai.

4.The Public Prosecutor,
High Court of Madras.



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M.NIRMAL KUMAR, J.

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