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Crl.OP.No.21892 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 17.09.2025

CORAM

THE HONOURABLE MR.JUSTICE **K.RAJASEKAR**

Crl.O.P.No.21892 of 2025

Kalyanasundaram

... Petitioner

Vs.

State rep by
The Inspector of Police,
All Women Police Station,
Nannilam.

... Respondent

(Cr.No.13 of 2024)

PRAYER : Criminal Original Petition filed under Section 483 of Bharatiya
Nagarik Suraksha Sanhita, to enlarge the petitioner on bail in Crime No.13
of 2024 pending investigation on the file of the respondent police.

For Petitioner : Mr.Padmanabhan

For Respondent : Mr.A.Gopinath
Government Advocate (Crl. Side)

ORDER

The petitioner herein was arrested on 17.06.2025 in connection with
Crime No.13 of 2024 for the alleged offence under Sections 417, 420 of IPC
and subsequently altered to Sections 417, 420 of IPC and 376 of IPC and



Section 5(1), 5(j)(ii) r/w Section 6 of POCSO Act.

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2.The case of the prosecution is that the petitioner had promised the victim girl to marry her and had sexual relationship. As a result, she became pregnant and also delivered a child. Now, the petitioner denied to marry the victim girl and went to abroad. Hence the case.

3.Learned counsel appearing for the petitioner submitted that the petitioner is ready to marry the victim girl. He further submitted that the petitioner is ready to abide by any stringent condition that may be imposed by this Court. Hence, he prayed for grant of bail to the petitioner.

4.The learned Government Advocate (Crl. Side) Submitted that the criminal case was registered in the year 2024 and apprehending arrest the petitioner had absconded to the foreign country and recently only he returned to India and was arrested. Subsequently, DNA test was also conducted and it is revealed that the petitioner is the father of child born to the victim girl.

5.Considering the facts and circumstances of the case and considering



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the period of incarceration suffered by the petitioner and taking note of the fact that the prosecution has completed the investigation, this Court is inclined to grant bail to the petitioner with certain conditions.

6. Accordingly, the petitioner is ordered to be released on bail on executing a bond for a sum of **Rs.20,000/- (Rupees Twenty Thousand only)** with **two sureties**, each for a like sum to the satisfaction of the learned **Sessions Judge, Fast Track Mahila Court, Tiruvarur District**, 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 trial Court everyday at 10.00 a.m., for a period of three weeks and thereafter, on all the hearing dates till completion of trial;**

[c] On breach of any of the aforementioned conditions, the learned Magistrate/Trial Court is entitled



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Crl.OP.No.21892 of 2025

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]**;

[d] If the accused thereafter absconds, a fresh FIR can be registered under Section 269 of B.N.S.

17.09.2025

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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.



Crl.OP.No.21892 of 2022

To
1. The Sessions Judge,
Fast Track Mahila Court, Tiruvarur.

2. The Inspector of Police,
All Women Police Station,
Nannilam.

3. The District Prison, Nagapattinam.

4. The Public Prosecutor,
High Court of Madras.



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K.RAJASEKAR, J.

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