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Crl.O.P.No.23323 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 01.09.2025

CORAM

THE HONOURABLE Dr.JUSTICE **G.JAYACHANDRAN**

Crl.O.P.No.23323 of 2025

Sugadev

... Petitioner

Vs.

The State Rep. by:
The Station House Officer,
Puduchatram Police Station,
Cuddalore District.
(Crime No.83 of 2025)

... Respondent

PRAYER : Criminal Original Petition filed under Section 483 of BNSS, to enlarge the petitioner on bail in Crime No.83 of 2025 on the file of the respondent police pending on the file of the respondent.

For Petitioner : Mr.R.Parthiban

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

ORDER

The petitioner, who was arrested and remanded to judicial custody on 26.07.2025, for the offence punishable under Section 69 of BNS Act, in Crime No.83 of 2025, registered on the file of the respondent, seeks bail.



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2. The case of the prosecution is that the petitioner was arrested on 26.07.2025 on the basis of a complaint lodged by one Priyanka, aged 26 years, alleging that the petitioner, on the false promise of marriage, had sexual intercourse with her on several occasions since 2019. She became pregnant in the year 2024 and gave birth to a male child on 30.07.2025. It is further alleged that the petitioner, having promised to marry her, had sexual intercourse with her and has now refused to marry her. On this complaint, a case was registered under Section 69 of the BNS Act. Hence, the case.

3. The learned counsel appearing for the petitioner submits that the petitioner is an innocent person and has been falsely implicated in this case.

4. The learned Government Advocate (Crl. Side) submitted that the DNA test report is yet to be received to ascertain the paternity of the child. Hence, he opposed the grant of bail to the petitioner.

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

6. Considering the nature of the complaint, the age of the victim lady, and the fact that the investigation has been completed and the final report has been filed without the DNA report, **this Court is inclined to grant bail to the petitioner, on the condition that the petitioner shall cooperate with the trial without any default** and subject to further



सत्यमेव जयते conditions:

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7. Accordingly, the petitioner is ordered to be released on bail on their executing a separate bond for a sum of **Rs.25,000/- (Rupees Twenty Five Thousand only)** with **two sureties**, each for a like sum to the satisfaction of the learned **District Munsif cum Judicial Magistrate, Portonova** 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., until further orders;**

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



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[d] If the accused thereafter absconds, a fresh

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FIR can be registered under Section 269 of B.N.S.

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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 District Munsif cum Judicial Magistrate, Portonovo.
- 2.The Station House Officer,
Puduchatram Police Station,
Cuddalore District.
- 3.The Superintendent, Central Prison, Cuddalore.
- 4.The Public Prosecutor,
High Court of Madras.



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Dr.G.JAYACHANDRAN, J.,

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