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Crl.O.P.No.23711 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 04.09.2025

CORAM

THE HONOURABLE Dr.JUSTICE G.JAYACHANDRAN

Crl.O.P.No.23711 of 2025

Vishnu, M/25
S/o Thulasiraman
No.260, Srinivasapuram
Paramasathu, Thangal,
Katpadi Taluk
Vellore District.

.. Petitioner/Accused

/versus/

The State rep.by
The Station House Officer,
All Women Police Station
Katpadi, Vellore District.
Crime No.37 of 2025

.. Respondent/Complainant

PRAYER : Criminal Original Petition filed under Section 483 of Bharatiya
Nagarik Suraksha Sanhita, 2023, to enlarge the petitioner on bail in Crime
No.37 of 2025 on the file of the respondent police.

For Petitioner :Mr.J.Gowtham

For Respondent :Mr.S.Udhyakumar
Government Advocate (Crl. Side)



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ORDER

The petitioner, who was arrested and remanded to judicial custody on 06.08.2025, for the offences punishable under Sections 69 of BNS in Crime No.37 of 2025 on the file of the respondent police, seeks bail.

2. The case of the prosecution is that the petitioner and the defacto complainant were in love and the petitioner has indulged in sexual intercourse with the defacto complainant by making a false promise to marry her, but he refused to marry.

3. The learned counsel appearing for the petitioner submitted that the petitioner is an innocent and he has been falsely implicated in this case. He further submitted that he has been in prison for the past 28 days.

4. The learned Government Advocate (Crl. Side) appearing for the respondent police submitted that the trial Court has dismissed the bail petition stating that if the petitioner is released on bail, at this juncture, there is a possibility of threatening the defacto complainant. He further submitted that statement of the defacto complainant was recorded under Section 183 of BNSS today.

5. Considering the facts and circumstances of the case, this Court is inclined to grant bail to the petitioner with certain conditions.



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6. Accordingly, the petitioner is ordered to be released on bail on his executing a 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 **Judicial Magistrate, Katpadi** 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 daily twice at 10.30 a.m and 05.00 p.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 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.

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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, Katpadi.
- 2.The Station House Officer, All Women Police Station, Katpadi, Vellore District.
- 3.The Vellore Central Prison.
- 4.The Public Prosecutor, High Court of Madras.



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Dr.G.JAYACHANDRAN, J.

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