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Crl.O.P.No.24092 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 02.09.2025

CORAM

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

Crl.O.P.No.24092 of 2025

Vengatesh Prathap

... Petitioner

Vs.

State Rep. by:

The Sub Inspector of Police,

Harur Police Station,

Dharmapuri District.

(Crime No.305 of 2025)

... Respondent

PRAYER : Criminal Original Petition filed under Section 483 of Bharatiya Nagarik Suraksha Sanhita, 2023, to enlarge the petitioner on bail pending investigation in Crime No.305 of 2025 on the file of the respondent police.

For Petitioner : Mr.J.Pradeep

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 Sections 194 of BNSS, 2023 @ Section 108 of BNS, 2023, in Crime No.305 of 2025, registered on the file of the respondent, seeks bail.



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2. According to the prosecution, the petitioner herein had illicit relationship with the deceased, which was objected by the husband of the deceased. It is further alleged that this petitioner threatened the deceased that he would upload intimate photographs on social media, if she did not continue the illicit relationship. Due to this alleged threat, the deceased is said to have committed suicide.

3. The learned Government Advocate (Crl.Side) appearing for the respondent police opposed the grant of bail to the petitioner and submitted that the cell phone of the petitioner was recovered during the investigation. However, no incriminating materials were found on the device.

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

5. Considering the fact that the petitioner has been in custody for more than 35 days and that no incriminating materials have been collected by the respondent police, this Court is inclined to grant bail to the petitioner, subject to 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 Court, Harur** 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 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 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];**



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Dr.G.JAYACHANDRAN, J.

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[d] If the accused thereafter absconds, a fresh
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.

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To

1.The Judicial Magistrate Court, Harur..

2.The Sub Inspector of Police,
Harur Police Station,
Dharmapuri District.

3.The Superintendent, Central Prison, Salem.

4.The Public Prosecutor,
High Court of Madras.

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