



WEB COPY

Crl.O.P.No.25765 of 2025



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 19-09-2025

CORAM

THE HONOURABLE MR JUSTICE K. RAJASEKAR

CRL OP NO.25765 of 2025

Jaya Shankar

... Petitioner/ Accused

Vs

The State rep. by,
The Inspector of Police,
AWPS Avadi Police Station,
Tiruvallur District,
(Crime No.21 of 2025)

...Respondent

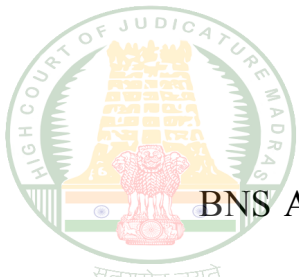
PRAYER : Criminal Original Petition filed under Section 483 of Bharatiya
Nagarik Suraksha Sanhita, 2023, to grant bail to the petitioner/accused in
Crime No.21 of 2025 on the file of the respondent police.

For Petitioner(s) : M/s.Selvi George for Majestic Law Firm

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

ORDER

The petitioner, who was arrested and remanded to judicial custody on
15.07.2025, for the offence Girl Missing and altered to Section 64(1) of



BNS Act in Crime No.21 of 2025, registered on the file of the respondent police, seeks bail.

WEB COPY

2.The case of the prosecution is that the petitioner and the defacto complainant are neighbours and the petitioner has induced the victim to have sexual relationship with him and subsequently she became pregnant. Hence a case was registered by the respondent police.

3.The learned counsel appearing for the petitioner submitted that the victim is aged about 34 years and she has consensual relationship with the petitioner. He further submitted that due to the dispute between the parties particularly between the wife of the petitioner and the victim family members, the complaint was lodged only at the advanced stage of the pregnancy. Hence, prays to grant bail to the petitioner.

4.The learned Government Advocate (Criminal Side) appearing for the respondent while opposing the bail to the petitioner, reiterated the prosecution case and submitted that the victim is a mentally retarded person. He also submits that the F.I.R was registered on 26.06.2025 and early as on 15.07.2025 the petitioner was arrested.

5. On going through the records it is seen that the F.I.R was registered on 26.06.2025 sofar the statement of the victim is not yet



recorded. It is also found that the petitioner was immediately arrested and though there is categorical averment in the F.I.R that the victim is only a deaf and she is not a mentally retarded person.

6.Considering the facts and circumstances of the case, the period of incarceration undergone by the Petitioner and only due to the family dispute the present complaint has been lodged , this Court is inclined to grant bail to the petitioner herein with certain conditions.

7.Accordingly, the petitioner is ordered to be released on bail on their executing a bond for a sum of **Rs.15,000/- (Rupees Fifteen Thousand only)** with **two sureties each** for a like sum to the satisfaction of the Judicial Magistrate-I,Poonamallee Court 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., for a period of two



WEB COPY

Crl.O.P.No.25765 of 2025



weeks and thereafter, as and when required for interrogation.

[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 abscond, a fresh FIR can be registered under Section 269 of B.N.S.

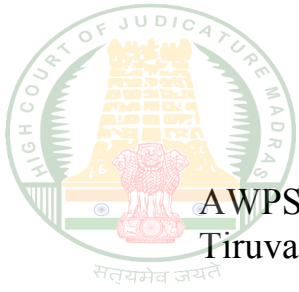
19.09.2025

smn

To

1. The Inspector of Police,

4/6



Crl.O.P.No.25765 of 202.

AWPS Avadi Police Station,
Tiruvallur District,

WEB COPY

2. The Judicial Magistrate-I,Poonamallee Court

3. The Superintendent, Central Prison, Puzhal.

4. The Public Prosecutor,
High Court of Madras.

"

K. RAJASEKAR, J.



WEB COPY



Crl.O.P.No.25765 of 2025

smn

Crl.O.P. No.25765 of 2025

19.09.2025