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Crl.O.P.No.26286 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 24.09.2025

CORAM

THE HONOURABLE MR. JUSTICE K.RAJASEKAR

Crl.O.P.No.26286 of 2025

Sabareesan

... Petitioner

Vs.

The State represented by
The Inspector of Police,
All Women Police Station,
Avinashi, Tiruppur District.
(Crime No.15 of 2025)

... Respondent

PRAYER : Criminal Original Petition filed under Section 483 of Bharatiya
Nagarik Suraksha Sanhita, 2023, to enlarge the Petitioner/Accused on bail in
Crime No.15 of 2025 pending on the file of the respondent Police.

For Petitioner : Mr.C.S.Saravanan

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

ORDER

The petitioner, who was arrested and remanded to judicial custody
on 04.08.2025, for the offence punishable under Section 69 of BNS, in Crime
No.15 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 had promised to marry the de facto complainant and indulged in a sexual relationship with her. After she conceived, the petitioner allegedly forced her to abort the fetus and thereafter refused to marry her. Hence, the case.

3. Learned counsel appearing for the petitioner submitted that the investigation is almost complete and that the petitioner has been in custody since 04.08.2025. Hence, he prays for grant of bail to the petitioner.

5. Learned Government Advocate (Criminal Side) appearing for the respondent police opposed the grant of bail, reiterating the prosecution case. He further submitted that the petitioner and the de facto complainant were in a relationship for the past 1 ½ years.

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

7. Considering the fact that the major part of the investigation is completed and the statement of the victim also indicates that she was in a relationship with the petitioner for the past 1 ½ years and considering period of incarceration of petitioner, this Court is inclined to grant bail to the



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petitioner with certain conditions:
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8. Accordingly, the petitioner is ordered to be released on bail on his executing a bond for a sum of **Rs.10,000/- (Rupees Ten Thousand only)** with **two sureties**, each for a like sum to the satisfaction of the learned **Judicial Magistrate, Avinashi**, 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 for a period of three weeks, and thereafter as and when required for interrogation;

[c] the petitioner shall make himself available for interrogation by a Police Officer as and when required;

[d] the petitioner shall not directly or indirectly cause any threat to the de facto complainant and witnesses;

[e] the petitioner to give an undertaking that if required for being identified by witnesses during investigation or for police custody beyond the first fifteen days, he shall comply to the directions as may be given by the Court in this regard;



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[f] 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]**;

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

24.09.2025

cda

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, Avinashi.
- 2.The Inspector of Police,
All Women Police Station,
Avinashi, Tiruppur District.
- 3.The Sub-Jail,
Tiruppur.
- 4.The Public Prosecutor,
High Court of Madras.

K.RAJASEKAR, J.

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24.09.2025