



Crl.O.P.No.26022 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: **22-09-2025**

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THE HONOURABLE MR JUSTICE K. RAJASEKAR

CRL OP NO.26022 of 2025

S. Mohammed Rafi

... Petitioner

Vs

The State rep. by,
The Inspector of Police,
W-36, Puzhal All Women Police Station,
Puzhal, Chennai
(Crime No.24 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.24 of 2025 on the file of the respondent police.

For Petitioner(s) : Mr.P. Parthipan

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

ORDER

The petitioner, who was arrested and remanded to judicial custody on
25.08.2025, for the offences punishable under Sections 294(b), 376(2)(n),
506(i) of I.P.C & 67 of Information Technology Act, 2000 in Crime No.24
of 2025, registered on the file of the respondent police, seeks bail.

2.The case of the prosecution is that this petitioner promised that he



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will marry the defacto complainant who is aged about 30 years and had sexual relationship with her. Thereafter, he refused to marry her and thereby cheated her. Hence, this case.

3.The learned counsel appearing for the petitioner submitted that this petitioner has been falsely implicated in this case. He further submitted that the victim is a married woman aged about 30 years and having children. He further submitted that the victim is already having living relationship with A1 and the same is found in the F.I.R lodged by the defacto complainant in the year 2022, Since there was dispute between the petitioner and the defacto complainant a false complaint has been lodged against the petitioner. 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 stated that the petitioner threatened the victim that he will upload the obscene photographs of the victim in the social media. He also states that there is no previous case pending against the petitioner.

5.Considering the facts and circumstances of the case, the period of incarceration undergone by the Petitioner and the fact that the petitioner is



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aged about 28 years and the victim is aged about 30 years and in the FIR filed by the defacto complainant in the year 2022 it has been stated that the defacto complainant was in living relationship with petitioner and there is no previous case pending against the petitioner, this Court is inclined to grant bail to the petitioner herein with certain conditions.

6. Accordingly, the petitioner is ordered to be released on bail on their 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 District Munsif Cum Judicial Magistrate, Madhavaram** 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 three weeks and thereafter, as and when required for interrogation. It is made clear that the petitioner shall not enter into the jurisdictional limit of the respondent police other than the hearing dates before the Trial Court,



until further orders;

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[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.

22.09.2025

smn

K. RAJASEKAR, J.

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To

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1. The Inspector of Police,
W-36, Puzhal All Women Police Station,
Puzhal, Chennai

2. The **District Munsif Cum Judicial
Magistrate, Madhavaram**

3. The Superintendent, Central Prison,
Puzhal

4. The Public Prosecutor,
High Court of Madras.

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