



WEB COPY

Crl.O.P.No.26492 of 2025



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 25-09-2025

CORAM

THE HONOURABLE MR JUSTICE K. RAJASEKAR

CRL OP NO.26492 of 2025

D. Rajesh

... Petitioner/ Accused

Vs

The State rep. by,
The Inspector of Police,
All Women Police Station,
Poonamallee.
(Crime No.36 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.36 of 2025 on the file of the respondent police.

For Petitioner(s) : Mr. S. Ranjith

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



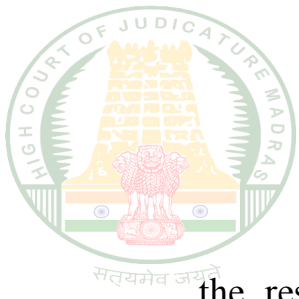
ORDER

WEB COPY

The petitioner, who was arrested and remanded to judicial custody on 27.07.2025 for the offences punishable under Section 64 of BNS in Crime No.36 of 2025, registered on the file respondent police, seeks bail.

2. The case of the prosecution is that the victim is a college student, who got acquaintance with the petitioner through social media and later developed relationship; that thereby, the petitioner under the pretext of taking the victim girl to a mall, taken her to a secluded area and sexually assaulted her. Hence, this case.

3. The learned counsel appearing for the petitioner submitted that the petitioner and the victim are in love affair and they had mutual and consensual sexual relationship, whereas since the parents of the victim came to know about the relationship between the victim and the petitioner, a false complaint has been lodged against the petitioner. He also submitted that the petitioner is ready to abide by any conditions that may be imposed by this Court and sought for bail to the petitioner.



WEB COPY

4. The learned Government Advocate (Crl. Side) appearing for the respondent while opposing the bail to the petitioner reiterated the prosecution case and stated that the petitioner got acquaintance with the victim girl and taken her to secluded place and forcibly raped her; that the statement of the victim is also recorded.

5. I have heard the submissions made on both sides and perused the entire materials available on record, including the contents in the victim's statement.

6. Considering the facts, the contents in the victim's statement and the period of incarceration undergone by the petitioner, this Court is inclined to grant bail to the petitioner with certain conditions.

7. 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-I, Poonamallee** and on further conditions that:



WEB COPY

Crl.O.P.No.26492 of 2025



[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;

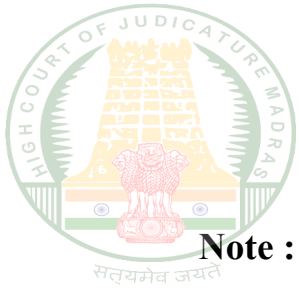
[b] the petitioner shall report before the respondent police daily at 10:30 a.m., for a period of three weeks and thereafter, as and when required for interrogation;

[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.

25.09.2025

stn



Note :

WEB COPY

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- I,
Poonamallee.
2. The Inspector of Police,
All Women Police Station,
Poonamalle.
(Crime No.36 of 2025)
3. The Superintendent,
Central Jail at Puzhal.
4. The Public Prosecutor,
High Court of Madras.



WEB COPY



Crl.O.P.No.26492 of 2025

K. RAJASEKAR, J.

stn

Crl.O.P. No.26492 of 2025

25.09.2025