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Crl.OP.No.27532 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 08.10.2025

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THE HONOURABLE MR.JUSTICE **K.RAJASEKAR**

Crl.O.P.No.27532 of 2025

Suresh

... Petitioner

Vs.

State Rep by

The Sub-Inspector of Police

Thoppur Police Station

Dharmapuri District

Crime No.177 of 2025

... Respondent

PRAYER : Criminal Original Petition filed under Section 483 of Bharatiya Nagarik Suraksha Sanhita, 2023, to enlarge the petitioner on bail in connection with Crime No.177 of 2025 on the file of respondent police.

For Petitioners : M/s.R.Prabakar

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

ORDER

The petitioner, who was arrested and remanded to judicial custody on 02.07.2025, for the offence punishable under Sections 115(2), 126(2), 63(a), 64 of BNS Act, 2023 in Crime No.177 of 2025 registered on the file of the respondent, seeks bail.



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2. The case of the prosecution is the defacto complainant is aged about 75 years and on 02.07.2025 at about 2.00am, when she was sleeping in her house, the petitioner is said to have trespassed into her house in an inebriated condition and though she alarmed by screaming, he tied up her hands, bitten her mouth and chest aggressively and committed rape on her. Hence, the case.

3. Learned counsel appearing for the petitioner submitted that the petitioner is an innocent person and he has been falsely implicated in this case as if he said to have committed rape on the defacto complainant. He submits that he has not committed any offence as alleged by the prosecution and he is suffering incarceration from 02.07.2025. He further submitted that the petitioner is ready to abide by any stringent condition that may be imposed by this Court. Hence, he prayed for grant of bail to the petitioner.

4. The learned Government Advocate (Crl. Side) appearing for the respondent, while opposing for grant of bail to the petitioner, reiterated the prosecution case and stated that this is a second bail application and the earlier bail application was dismissed by this Court in Crl.O.P.No.24672 of



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2025 considering the gravity of the offence committed by the petitioner and investigation is also pending. He also submits that in this case, investigation has been completed and final report has been filed and the same was taken on file in PRC.No.26 of 2025 and it is pending for committal. Hence, he strongly opposed to grant bail to the petitioner.

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

6. Considering the facts and circumstances of the case, taking note of the submission made by the learned Government Advocate (Crl. Side) and on perusal of the final report, it is found that this petitioner had committed gruesome rape and caused grievous injuries to the victim, this Court is not inclined to grant bail to the petitioner.

7. Accordingly, the Criminal Original Petitions stands dismissed.

08.10.2025

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To

1. The Additional Mahila Court, Dharmapuri.

2. The Sub-Inspector of Police
Thoppur Police Station
Dharmapuri District

3. The Public Prosecutor
High Court, Madras.

K.RAJASEKAR, J.



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