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CrI.O.P.No.32017 of 2024

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 02.01.2025

CORAM

**THE HON'BLE MR. JUSTICE A.D.JAGADISH CHANDIRA**

CrI.O.P.No.32017 of 2024

Thina Bandu @ Dinabandhu Barik

... Petitioner

Vs.

The State rep by  
The Sub-Inspector of Police (Crime),  
Grand Bazaar Police Station,  
Puducherry.

Cr.No.210 of 2024

... Respondent

**PRAYER :** Criminal Original Petition filed under Section 483 of Bharatiya Nagarik Suraksha Sanhita, 2023, pleased to enlarge the petitioner on bail, in connection with Crime No.210 of 2024, pending investigation on the file of the respondent Police.

For Petitioner : Mr.R.Vinayaga Vishnu

For Respondent : Mr.K.S.Mohandass  
Public Prosecutor (Puducherry)

### **ORDER**

Petition seeking bail in respect of Crime No.210 of 2024 registered for the offences under Section 137(2) of BNS, is on board for consideration.



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2. The case of the prosecution, on the complaint given by one Ajita Rajib Ghose, is that her minor daughter, aged about 16 years, was affected with personal disorder and was found missing. A case was registered in Crime No.210 of 2024 by the respondent Police under Section 137(2) of BNS, 2023. During the course of investigation, it came to light that the victim girl was kidnapped by the accused from Puducherry to Chennai and he had allegedly committed rape on her. The petitioner was arrested and remanded to judicial custody on 03.11.2024.

3. The learned counsel appearing for the petitioner would submit that the petitioner is an innocent person and he has been falsely implicated in this case. According to the defacto complainant, the victim girl is said to have been affected with personality disorder. Hence, he seeks grant of bail to the petitioner.

4. Per contra, the learned Public Prosecutor (Puducherry) would submit that the petitioner, along with his friends, had abducted the minor victim girl from Puducherry to Chennai and had committed penetrative sexual assault on her. Later, he booked an uber and sent the victim girl back to Puducherry. He further submits that the statement has been recorded under Section 183 of BNS from the victim girl, in which she has categorically spoken about the act committed by the petitioner and his friends. He also submits that the co-accused/A5 in this case, viz., Chitharanjan, who is the friend of the



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petitioner, has also committed penetrative sexual assault on the victim girl. Later, during the course of investigation, the medical examination revealed that the said Chitharanjan/A4 was affected by HIV. He further submits that he had taken videograph and also threatened the defacto complainant. Hence, he would object for grant of bail to the petitioner.

5. Heard the learned counsel for the petitioner and the learned Public Prosecutor (Puducherry) for the respondent Police and perused the materials available on record including the CD file produced by the respondent.

6. Taking into consideration the above facts and the circumstances of the case and also having gone through the statement recorded under Section 183 of BNS, this Court is not inclined to grant bail to the petitioner.

7. Accordingly, the Criminal Original Petition stands dismissed.

**02.01.2025**

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To

1.The Sub-Inspector of Police (Crime),  
Grand Bazaar Police Station,  
Puducherry.

2. The Public Prosecutor,  
High Court of Madras.



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**A.D.JAGADISH CHANDIRA.,J.**  
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