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Crl.O.P.No.2837



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 16.10.2025

CORAM :

THE HON'BLE MR. JUSTICE K. RAJASEKAR

Crl.O.P.No.28375 of 2025

Vinothkumar

... Petitioner

-VS-

State Rep by,
The Inspector of Police,
Vikkiramangalam Police Station,
Ariyalur District.
(Crime No.97 of 2025)

... Respondent

Prayer:- Criminal Original Petition filed under Section 483 of BNSS, pleaded to enlarge the petitioner on bail pending trial in S.C.No.79 of 2025 on the file of the Sessions Judge, Fast Track Mahila Court, Ariyalur (Crime No.97 of 2025).

For Petitioner : Mr.S.Doraiswamy

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



ORDER

The petitioner, who was arrested and remanded to judicial custody on 09.05.2025, for the alleged offence punishable under Sections 329(4), 351(3), 64(1) of BNS in Crime No.97 of 2025, on the file of the respondent police, seeks bail.

2. The case of the prosecution is that the petitioner who is well known to the defacto complainant, sneaked into the house of the defacto complainant, while she was sleeping and committed a rape. Hence this 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. He would further submit that the petitioner was arrested and he is in judicial custody from 09.05.2025 and already case was committed to the Court of Sessions Judge, Fast Track Mahila Court, Ariyalur. It is now ready for trial and the petitioner is in incarceration may be considered for granting bail.

4. Learned Government Advocate (Crl.Side) appearing for the respondent police submitted that the petitioner is the sole accused and the final report already filed and the same is pending in S.C.No.79 of 2025 on the file of Sessions Judge, Fast Track Mahla Court, Ariyalur and there is no previous case is pending against the petitioner and he opposed for grant of bail to the petitioner.



5. Heard both sides and perused the materials available on record including the First Information Report.

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6. Considering the submissions of the learned counsel on either side and the period of incarceration undergone by the petitioner, that the petitioner is in judicial custody from 09.05.2025, the petitioner is aged about 20 years, he is not having any bad antecedents, this Court is inclined to grant bail to the petitioner, subject to certain conditions.

7. Accordingly, the petitioner is ordered to be released on bail on his executing a bond for a sum of **Rs.20,000/- (Rupees Twenty Thousand only)** with two sureties, each for a like sum to the satisfaction of the *learned Judicial Magistrate No.I, Jayankondam*, and on further conditions that:-

[a] the sureties shall affix their photographs and Left Thumb Impression in the surety bond and the Magistrate may obtain a copy of their Aadhar card or Bank pass Book to ensure their identity;

[b] the petitioner shall stay at **Kancheepuram** and appear before the **Judicial Magistrate No.I, Kancheepuram** on all working days except the hearing dates of the Sessions Court and further he shall appear before the trial Court on all the hearing dates without fail;



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[c] the petitioner shall not abscond either during investigation or trial;

[d] the petitioner shall not tamper with the evidence or witness either during investigation or trial;

[e] On breach of any of the aforesaid conditions, the learned Magistrate/Trial Court is entitled to take appropriate action against the petitioner in accordance with law as if the 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)AIR SCW 5560];

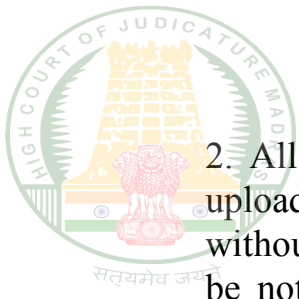
[f] If the accused thereafter absconds, a fresh FIR can be registered under Section 269 B.N.S.

16.10.2025

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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.

To

- 1.The Judicial Magistrate No.I,
Jayankondam.
- 2.The Sessions Judge,
Fast Track Mahila Court, Ariyalur.
- 3.The Judicial Magistrate No.I,
Kancheepuram.
- 4.The Inspector of Police,
Vikkiramangalam Police Station,
Ariyalur District.
- 5.The Superintendent of Police,
Central Prison, Trichy.
- 6.The Public Prosecutor,
High Court, Madras.



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K. RAJASEKAR, J.

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