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Crl.OP.No.28793 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 25.10.2025

CORAM

THE HONOURABLE MR JUSTICE **K.RAJASEKAR**

Crl.O.P.No.28793 of 2025

Ganesh

... Petitioner

Vs.

The State Rep by
The Inspector of Police,
All Woman Police Station,
Poonamalle
(Cr.No.20 of 2025)

... Respondent

PRAYER : Criminal Original Petition filed under Section 483 of Bharatiya Nagarik Suraksha Sanhita, 2023, to enlarge the petitioner on bail in Cr.No.20 of 2025 on the file of the Inspector of Police, All Woman Police Station, Poonamalle.

For Petitioner : Mr.A.Murugavel

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

ORDER

The petitioner, who was arrested and remanded to judicial custody on 16.09.2025 for the alleged offence under Section 69,79, 351(2) of BNS in Crime No.20 of 2025 on the file of the respondent police, seeks bail.



2. The case of the prosecution is that the petitioner herein developed relationship with the victim and made a promise to marry her, had sexual intercourse with the victim on various occasions. Due to which, she became pregnant and subsequently, refused to marry her and also insisted the victim to abort the foetus. Hence, the case.

3. The learned counsel appearing for the petitioner submitted that the petitioner has been falsely implicated in this case. He further submitted that the petitioner is in judicial custody from 16.09.2025. He further submitted that the petitioner is ready to abide by any conditions that may be imposed by the this Court. Hence, he prays to grant bail to the petitioner.

4. The learned Government Advocate (Criminal Side) appearing for the respondent police reiterated the prosecution case and submitted the petitioner came to know the defacto complainant in their work place and they had love affair, even though the parents of the petitioner did not accept the love due to age difference, the petitioner had physical relation with her many times, due to which, she became pregnant and also obtained money and jewels, now when the defacto complainant asked him to marry her, he



refused and insisted the defacto complainant to abort the foetus and also threatened her. He further submitted that investigation is pending. Hence, he 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, the submissions made by both counsel, the period of incarceration and also the contentions in the FIR reveals various facts including the long standing relationships between the victim and the petitioner for more than a year and the victim became six months pregnant, I am 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.20,000/- (Rupees Twenty Five Thousand only)** with **two sureties**, for a like sum to the satisfaction of the learned **Judicial Magistrate-I, Poonamalle** 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 the respondent police daily at 10.30 a.m., for a period of three weeks and thereafter as and when and required for interrogation;

[c] The petitioner shall co-operate with the medical examination as and when required by the Investigating Officer;

[d] 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]**;



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

25.10.2025

Vv

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-I, Poonamalle**
2. The Inspector of Police,
All Woman Police Station,
Poonamalle
3. The Central Prison-II, Puzhal, Chennai.
4. The Public Prosecutor,
High Court of Madras.

K.RAJASEKAR, J.

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