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CRL A No. 1795 of 2



IN THE HIGH COURT OF JUDICATURE AT MADRAS
DATED: 28-11-2025

CORAM
THE HON'BLE MRS.JUSTICE T.V.THAMILSELVI

CRL A No. 1795 of 2025

T.Venkatesan
S/o. Thoopalan,
No.440, Post Office Street, Siruvathur,
Kallakuruchi Taluk, Villupuram-606201.

..Appellant(s)

Vs

1.The Deputy Superintendent of Police,
Kancheepuram District.

2.The Inspector of Police,
Sriperumbudur Police Station, Kancheepuram
District. Crime No.13 of 2025.

3.Jayapbharathi
D/o. Ravichandran,
No.390, New Street, Olaipadi,Papanasam Taluk,
Thanjavur District.

..Respondent(s)

To set aside the impugned order dated 30.10.2025 passed in
Crl.M.P.No.2044/2025 on the file of Principal District and Sessions Court, at
Kancheepuram and grant bail to the appellant.

For Appellant(s): Mr. C.Kathirudayan



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For Respondent(s):

Mr.V.Meganathan,
Govt. Advocate (Crl. Side) for R1 & R2

R3 – Service awaited

ORDER

This Criminal Appeal has been filed as against the order made in in Crl.M.P.No.2044 of 2025 on the file of Principal District and Sessions Judge, Kancheepuram dated 30.10.2025 in Crime No.13 of 2025 on the file of 2nd respondent by allowing the present appeal, thereby dismissing the petition for bail.

2.Heard the learned counsel appearing for the appellant and the learned Government Advocate for the respondents 1 and 2 and perused the materials placed before this Court. Notice issued to the third respondent and as on date service awaited.

3.The appellant is arrayed as accused in Crime No.13 of 2025 on the file of the second respondent, registered for the offences punishable under Sections 69, 115(2) of BNS r/w 4 of Tamil Nadu Prohibition of Harassment of Women Act and subsequently, the respondent police added further offence under Sec.3(2)(v) and 3(1)(w)(i) of Scheduled Case/Scheduled Tribes (Prevention of



Atrocities) Act, 1989.

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4.Learned counsel appearing for the appellant would submit that the appellant has been falsely implicated in this case as if he had married the 3rd respondent and subsequently, he refused to live with her. Aggrieved that, the defacto complainant gave a false complaint. He is ready to abide any condition that may be imposed by this court. Accordingly, he prayed for granting of bail.

5.Learned Government Advocate (Criminal Side) would submit that the case of the prosecution is that by giving false promise, the petitioner had married her and subsequently cheated her, she got pregnant and thereafter, he refused to live with her. Hence, the complaint was lodged. He would also submit that by mixing tablet in a milk, her pregnancy was also aborted. He would submit that the investigation is almost completed in this case.

6.After registration of FIR as against the appellant, the appellant was arrested and remanded to judicial custody on 27.09.2025. Thereafter, the petitioner filed a bail petition before the Principal District and Sessions Judge, Kancheepuram in Crl.M.P.No.2044 of 2025 and the same was dismissed. Hence, the appellant filed the present appeal seeking bail.

7.Considering the above facts and circumstances and also the period of incarceration undergone by the appellant from the date of his arrest i.e.,



27.09.2025 for more than two months, this Court is inclined to grant bail to the appellant. Accordingly, the order made in Crl.M.P.No.2044 of 2025 dated 30.10.2025 on the file of the Principal District and Sessions Judge, Kancheepuram is hereby set aside. This Criminal Appeal stands allowed.

8.The appellant is ordered to be released on bail on his execution of a bond for a sum of Rs.10,000/- (Rupees ten thousand only) with two sureties each, **one surety must be a blood surety**, for a like sum to the satisfaction of the Learned Principal District and Sessions Judge, Kancheepuram 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 appellant shall report before the respondent police **on every Saturday at 10.30 a.m. for the period of three months;**

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

[d] the appellant shall not tamper with 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 appellant in accordance with law as if the conditions have been imposed



and the appellant 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 abscond, a fresh FIR can be registered under Section 229A IPC.

9. Furthermore, on seeing the facts, it reveal that there is possibility to settle the issue between the parties. Therefore, this Court is inclined to refer the matter for mediation to Mediation and Conciliation Centre, Kallakurichi. The Mediation and Conciliation Centre is directed to issue notice to both the parties and to take up the matter for not less than three hearings. Both the appellant and 3rd respondent/defacto complainant are directed to appear before the Mediation without fail on 08.12.2025.

10. The 2nd respondent police is directed to inform the 3rd respondent/defacto complainant to appear before the mediation.

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Index: Yes/No

Speaking/Non-speaking order

Neutral Citation: Yes/No

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To

1. Principal District and Sessions Judge, Kancheepuram.
2. The Deputy Superintendent of Police
Kancheepuram District.
3. The Inspector of Police
Sriperumbudur Police Station,
Kancheepuram District.
4. The Superintendent of Prison, Central Prison, Vellore.
5. The Public Prosecutor, High Court, Madras.
6. The Mediation and Conciliation Centre, Kallakurichi.



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T.V.THAMILSELVI, J.

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