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Crl.O.P.No.30286 of 2025



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 07-11-2025

CORAM

THE HONOURABLE MR JUSTICE K. RAJASEKAR

CRL OP NO.30286 of 2025

A. Harshavardhan

... Petitioner/ Accused

Vs

The State rep. by,
The Inspector of Police,
W-33, AWPS Virugambakkam.
(Crime No.30 of 2025)

... Respondent

PRAYER : Criminal Original Petition filed under Section 483 of Bharatiya
Nagarik Suraksha Sanhita, 2023, to grant bail to the petitioner/accused in
Crime No.30 of 2025 on the file of the respondent police.

For Petitioner(s) : M/s. R. Radha Pandian

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



ORDER

The petitioner, who was arrested and remanded to judicial custody on 01.10.2025 for the offences punishable under Section 69 of BNS in Crime No.30 of 2025, registered on the file of the respondent police, seeks bail.

2. The case of the prosecution is that the petitioner and the defacto complainant are lovers and after promise to marry the defacto complainant, the petitioner had sexual intercourse with the defacto complainant and subsequently, refused to marry her. Hence, this case.

3. The learned counsel appearing for the petitioner submitted that the petitioner has been falsely implicated in this case and the petitioner is in judicial custody since 01.10.2025; and that the petitioner is ready to abide by any conditions that may be imposed by this Court and sought for bail to the petitioner.

4. The learned Government Advocate (Crl. Side) appearing for the respondent while opposing the bail to the petitioner reiterated the prosecution case and stated that the petitioner and the defacto complainant, aged about 25 years were in love since 2019 onwards and under the promise



of marriage, had sexual intercourse with the defacto complainant and subsequently, cheated her; and that the investigation of this case is pending.

5. Considering the facts and circumstances of the case, age of the victim, the fact reveals that the petitioner and the defacto complainant were in relationship for some time and taking note of the period of incarceration undergone by the petitioner, this Court is inclined to grant bail to the petitioner with certain conditions.

6. 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 -II, Poonamallee** 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 stay at **Perambalur** and report before the learned **Judicial Magistrate-I,**



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Perambalur daily at 10:30 a.m., for a period of three weeks and thereafter, as and when required for interrogation by the respondent police;

[c] 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]**;

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

07.11.2025

stn

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



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website of this Court will be watermarked and will also have a QR code.

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To

1. The Judicial Magistrate-II,
Poonamallee.
2. The Judicial Magistrate-I, Perambalur.
3. The Inspector of Police,
W-33, AWPS Virugambakkam.
(Crime No.30 of 2025)
4. The Superintendent,
Central Prison, Puzhal.
5. The Public Prosecutor,
High Court of Madras.



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K. RAJASEKAR, J.

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