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Crl.O.P.No.31628 o



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 19.11.2025

CORAM :

THE HON'BLE MR. JUSTICE K. RAJASEKAR

Crl.O.P.No.31628 of 2025

Moses

... Petitioner

-Vs-

State Rep by,
The Inspector of Police,
All Women Police Station,
Ponneri, Tiruvallur District.
(Crime No.13 of 2025)

... Respondent

Prayer:- Criminal Original Petition filed under Section 483 of BNSS Act, 2023, pleaded to enlarge the petitioner on bail in Crime No.13 of 2025 pending on the file of the respondent police.

For Petitioner : Mr.V.Murugesan

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

ORDER

The petitioner, who was arrested and remanded to judicial custody on 19.09.2025, for the alleged offence punishable under Sections 64(1) of BNS Act r/w Section 66(E) of IT Act, in Crime No.13 of 2025, on the file of the respondent police, seeks bail.



2. The allegation against the petitioner is that the petitioner developed a relationship with the family of the defacto complainant, and under the guise of offering protection from black magic, administered some intoxicated drinks to the victim girl and committed penetrative sexual assault on her. It is further alleged that he threatened her not to disclose the same to anyone and he also videographed the same. Hence, the complaint.

3. Earlier, this Court dismissed the petitioner's bail application in Crl.OP.No.27886 of 2025 dated 13.10.2025, on the ground that the investigation is pending.

4. Learned counsel for the petitioner submitted that the investigation has now been completed and the final report has also been filed. Hence, he prayed for grant of bail to the petitioner.

5. Learned Government Advocate (Crl.Side) appearing for the respondent police reiterated the prosecution case and submitted that the investigation has been completed and the final report has been filed and the same was taken on file in P.R.C.No.36 of 2025 on the file of the Judicial Magistrate No.II, Ponneri, and is pending committal. He further submitted that the allegations are very serious in nature. However, he opposes to grant bail to the petitioner.

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



7. Considering the submissions made by the learned counsel on either side, the fact that the investigation was completed and the final report was also filed and also considering the period of incarceration undergone by the petitioner, this Court is inclined to grant bail to the petitioner.

8. 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, for a like sum to the satisfaction of the *learned Judicial Magistrate No.I, Ponneri*, 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 Salem and report before Salem Town Police Station, daily at 10.30 a.m., for a period of three weeks and thereafter as and when required for interrogation.

[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.

19.11.2025

drl

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

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1.The Judicial Magistrate No.I,
Ponneri.

2.The Inspector of Police,
All Women Police Station,
Ponneri, Tiruvallur District.

3.The Superintendent,
Sub Jail, Ponneri, Tiruvallur District.

4.The Public Prosecutor,
High Court, Madras.

5. The Inspector of Police,
Salem Town Police Station,
Cuddalore.

K. RAJASEKAR, J.



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