



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 18.11.2025

CORAM :

THE HON'BLE MR. JUSTICE K. RAJASEKAR

Crl.O.P.No.31487 of 2025

Elamaran

... Petitioner

-VS-

State Rep by,
The Sub-Inspector of Police,
Polur All Women Police Station,
Tiruvannamalai District.
(Crime No.80 of 2025)

... Respondent

Prayer:- Criminal Original Petition filed under Section 483 of BNSS, pleaded to enlarge the petitioner on bail in Crime No.80 of 2025 pending investigation on the file of the respondent police.

For Petitioner : Mr.E.Sathiyaraj

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



ORDER

The petitioner, who was arrested and remanded to judicial custody on 27.09.2025, for the alleged offence punishable under Sections 318(2) & 64(2)(m) of BNS 2023 s(417, 376(2) IPC), in Crime No.80 of 2025, on the file of the respondent police, seeks bail.

2. The allegation against the petitioner is that the petitioner, who developed a contact with the victim, aged about 24 years, under the pretext of marrying her, had a sexual relationship with her and subsequently refused to marry her. Hence, the complaint.

3.The learned counsel for the petitioner submitted that the petitioner is in custody from 27.09.2025, and it was only a relationship, and he has not promised to marry her; and had a sexual relationship. Hence, he prayed for grant of bail to the petitioner.

4. The learned Government Advocate (Criminal Side) submitted that the petitioner, known to the family, used to visit the victim's house, slowly developed a relationship, promised to marry her, and had a sexual relationship, and subsequently refused to marry her. Hence, he opposed for grant of bail to the



petitioner.

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5. I have gone through the FIR, and it reveals that the petitioner and the victim were in relationship from the year 2023 onwards, and it is also stated that due to communal issues, the marriage was not taken place, hence, I am inclined to grant bail to the petitioner, subject to 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, Kalasapakkam, Tiruvannamalai District*, 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 report before the respondent police daily at 10.30 a.m., for a period of three weeks;

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



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[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.

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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.



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- 1.The Judicial Magistrate, Kalasapakkam, Tiruvannamalai District.
- 2.The Sub-Inspector of Police,
Polur All Women Police Station,
Tiruvannamalai District.
- 3.The Superintendent of Prison,
Central Prison, Vellore.
- 4.The Public Prosecutor,
High Court, Madras.



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K. RAJASEKAR, J.

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