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Crl.O.P.No.31612 of 2025



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 19.11.2025

CORAM :

THE HON'BLE MR. JUSTICE K. RAJASEKAR

Crl.O.P.No.31612 of 2025

Mariyappan

... Petitioner

-Vs-

State Rep by,
The Inspector of Police,
All Women Police Station,
Bargur, Krishnagiri District.
(Crime No.15 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.15 of 2025 pending on the file of the respondent police.

For Petitioner : Mr.E.Kannadasan

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

ORDER

The petitioner, who was arrested and remanded to judicial custody on 31.05.2025, for the alleged offence punishable under Sections 332(b), 127(2), 351(3), 64(2)(k) of BNS Act and 92(b) of the Rights of Person with Disabilities



Act, 2016 in Crime No.15 of 2025, on the file of the respondent police, seeks bail.

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2. The allegation against the petitioner is that the victim in this case is a physically challenged person and that, while she was staying in her house, the petitioner trespassed into the house and committed rape on her. Hence, the complaint was lodged and the petitioner was arrested.

3. Learned counsel appearing for the petitioner submitted that the petitioner is an innocent person and he has been falsely implicated in this case. He further submitted that the investigation has been completed and the final report has also been filed. He further submitted that the petitioner was arrested and he is in judicial custody since 31.05.2025 and he is ready to abide by any conditions that may be imposed by this Court. Hence, he prayed for grant of bail to the petitioner.

4. Learned Government Advocate (Crl.Side) appearing for the respondent police reiterated the prosecution case and submitted that the victim is 34 years old, is a physically challenged and that the petitioner, aged 45 years, had gone to her house on the date of the alleged occurrence and committed rape on her. He further submitted that the petitioner was earlier detained under Act 14 of 1982 and that the detention order was subsequently quashed. He also submitted that the investigation was completed and the final report was also filed.



However, he opposes to grant bail to the petitioner.

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

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

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 Thousand only)** with two sureties, for a like sum to the satisfaction of the *learned Additional Mahila Court, Krishnagiri, Krishnagiri 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 stay at Krishnagiri and appear before the concerned Court, daily at 10.30 a.m., for a period of three weeks. However, it is made clear that the petitioner shall not enter into the jurisdictional limits of the



respondent police, until further orders;

[c] the petitioner shall not abscond either during

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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.

19.11.2025

drl



Note:

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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 Additional Mahila Court,
Krishnagiri, Krishnagiri District.
- 2.The Inspector of Police,
All Women Police Station,
Bargur, Krishnagiri District.
- 3.The Superintendent,
Central Prison, Salem.
- 4.The Public Prosecutor,
High Court, Madras.



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K. RAJASEKAR, J.

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