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CrI.O.P.No.3173



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 20.11.2025

CORAM

THE HONOURABLE Mr. JUSTICE K. RAJASEKAR

CrI.O.P.No.31735 of 2025

Poovendhan

... Petitioner

Vs.

State rep. by
The Inspector of Police,
Kandhili Police Station,
Tirupathur District.
(Cr.No.281 of 2025)

... Respondent

PRAYER : Criminal Original Petition filed under Section 483 of Bharatiya Nagarik Suraksha Sanhita, 2023, to enlarge the petitioner on bail in Cr.No.281 of 2025 on the file of the respondent police, pending investigation.

For Petitioner : Mr.E.Kannadasan
For Respondent : Mr.A.Gopinath,
Government Advocate (CrI.Side)

ORDER

The petitioner, who was arrested and remanded to judicial custody on **24.10.2025** for the alleged offence **under Section 69 of BNS, 2023** in **Crime No.281 of 2025** on the file of the respondent police, seeks bail.

2. The allegation against the petitioner is that this petitioner is known to the defacto complainant and moved together closely for some time, and thereafter they became lovers. On 25.01.2025, the petitioner herein promised to



marry her and had sexual intercourse with her, and subsequently refused to marry her. Hence, the complaint has been lodged against the petitioner.

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3. The learned counsel for the petitioner submitted that both the petitioner and the defacto complainant are aged about 20 and 19 years respectively. Due to a misunderstanding, the marriage did not taken place, and the petitioner was arrested and has been in custody from 24.10.2025. Hence, he prays for grant bail to the petitioner.

4. The learned Government Advocate (Criminal Side) appearing for the respondent Police reiterated the prosecution case and on instructions submitted that the FIR was registered recently, and the investigation in this case is pending, hence, he opposed to grant bail to the petitioner.

5. I have gone through the FIR, and it reveals that the petitioner and the defacto complainant were lovers for two years and subsequently, in the month of January, he promise to marry her and had a sexual relationship and subsequently refused to marry her. Considering the incarceration undergone by the petitioner and the facts stated above, 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-II, Tirupathur, 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 appear before the respondent police daily at 06.00 p.m., for the period of three weeks and thereafter as and when required for investigation;

[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.

20.11.2025

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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 Judicial Magistrate-II, Tirupathur.
2. The Inspector of Police,
Kandhili Police Station,
Tirupathur District.
3. The Jailer, Sub-Jail, Tirupathur.
4. The Public Prosecutor, High Court of Madras.



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K.RAJASEKAR, J.

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