



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 02.12.2025

CORAM

THE HONOURABLE MR JUSTICE K.RAJASEKAR

Crl.O.P.No. 33031 of 2025

Settu

... Petitioner

Versus

The State represented by
The Inspector of Police
W-29, All Women Police Station
Avadi, Chennai
Tiruvallur District.

... Respondent

PRAYER: Criminal Original Petition filed under Section 483 of Bharatiya
Nagarik Suraksha Sanhita, to enlarge the petitioners on bail in Crime No.41
of 2025 on the file of respondent police.

For Petitioner : Mr.R.Sivanathan

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



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ORDER

The petitioner, who was arrested and remanded to judicial custody on 18.09.2025, for the offences punishable under Section 64 of BNS Act, in Crime No. 41 of 2025 registered on the file respondent police, seeks bail.

2.The case of the prosecution is that the de-facto complainant who is a widow working in the Shoe Footwear Shop owned by the petitioner. On 13.09.2025, the petitioner took the de-facto complainant to his house and forcibly raped her. Hence the case.

3.The learned Counsel for the petitioner submits that the petitioner has been falsely implicated in this case and he has not committed any offence as alleged by the prosecution. He further submits that the petitioner was arrested and remanded to judicial custody from 18.09.2025. He further submits that the petitioner is ready to abide any condition imposed by this



Court and sought for bail to the petitioner.

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4.The learned Government Advocate [Criminal Side] appearing for the respondent police, reiterated the case of the prosecution and submits that now, final report has been filed after completion of investigation and the same is yet to be taken on file.

5.Considering the manner in which, the occurrence took place, the investigation is completed and final report has also been filed and the period of incarceration of the petitioner from 18.09.2025, I am 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**, for a like sum to the satisfaction of the **learned**



Judicial Magistrate No.I, 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 Cuddalore and report before the learned Judicial Magistrate No.I, Poonamallee, daily at 10.30 am until further orders.

[c] On breach of any of the aforementioned conditions, the learned Magistrate/Trial Court is entitled to pass appropriate orders against the 3rd 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.

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Index: Yes/No

Speaking/Non-speaking order

Internet: Yes

Neutral Citation: Yes/No

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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To

1.The Judicial Magistrate No.I,
Poonamallee.

2.The Central Prison-II, Puzhal,
Chennai.

3.The Public Prosecutor
High Court of Madras.

4.The Inspector of Police
W-29, All Women Police Station
Avadi, Chennai
Tiruvallur District.



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K.RAJASEKAR J.

MSM

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2025



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