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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 30.12.2025

CORAM

THE HON'BLE MR. JUSTICE **P.DHANABAL**

Crl.O.P.No.35902 of 2025

Nagaraj S

... Petitioner

Vs.

The State represented by,
The Inspector of Police,
AWPS Uthukottai Police Station,
Tiruvallur, Tamilnadu.
(Crime No. 42 of 2025).

... Respondent

PRAYER: Criminal Original Petition filed under Section 483 of B.N.S.S.,
2023 to enlarge the petitioner on bail in Crime No.42 of 2025 on the file of
the respondent police.

For Petitioner : Mr. Krishen. M

For Respondent : Mr.S.Vinothkumar
Government Advocate (Crl.Side)

ORDER

The petitioner, who was arrested and remanded to judicial custody on
01.11.2025 for the alleged offence punishable under Sections 69, 351(2) of
BNS Act, in Crime No.42 of 2025, on the file of the respondent police, seeks
bail.



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2. The case of the prosecution is that the petitioner married the 26 years old defacto complainant on 20.06.2025, at Patchaiyamman temple Thirumullaivoyal and had a consensual relationship, but allegedly cheated her on the basis of a false promise. Hence, the complaint.

3. Learned counsel appearing for the petitioner submitted that the petitioner is an innocent person and has been falsely implicated in this case and he has not committed any offence as alleged in the FIR. He would further submit that the petitioner was arrested and is in judicial custody from 01.11.2025. Hence, he prayed bail for the petitioner.

4. The learned Government Advocate (Crl.Side) appearing for the respondent police submitted that on false promise of marriage, the petitioner sexually assaulted the victim who is aged about 26 years. He would further submitted that the petitioner was already a married person and that the petitioner has no previous case pending against him. Hence, he opposed 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 rival submissions made on either side, the nature of the offence, age of the victim, and already the material part of the investigation is over and also considering the period of his incarceration and no previous case is pending against the petitioner, this Court is inclined to grant bail to the petitioner, subject to certain conditions.

[a] Accordingly, the petitioner is ordered to be released on bail on his executing a bond for a sum of Rs.10,000/- (Rupees Ten Thousand only) with two sureties, each for a like sum to the satisfaction of the Judicial Magistrate Uthukottai, Tiruvallur, and on further conditions that:-

[b] the petitioner shall report before the respondent police daily at 10.30 a.m., until further orders.

[c] the petitioner shall not commit any offence similar to the offence of which he is accused, or suspected, or of the commission of which he is suspected;



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

[e] the petitioner shall not directly or indirectly make any inducement, threat or promise to any person acquainted with the facts of the case so as to dissuade him from disclosing such facts to the Court or to any police officer or tamper with the evidence;

[f] On breach of any of the aforesaid conditions, the learned Judicial 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].

[g] If the accused thereafter absconds, a fresh FIR can be registered under Section 269 BNS.

30.12.2025

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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.

To

1. The Judicial Magistrate Uthukottai,
Tiruvallur.

2. The Inspector of Police,
AWPS Uthukottai Police Station,
Tiruvallur, Tamilnadu.

3. The Superintendent,
Puzhal Jail, Chennai.

4. The Public Prosecutor,
High Court of Madras.



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P.DHANABAL, J.

drl

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