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CRL OP No. 35731 of 2025



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 26-12-2025

CORAM

THE HONOURABLE MR.JUSTICE P. DHANABAL

CRL OP No. 35731 of 2025

Dhinakaran
S/o.Krishnan,
No.119, Thoppu Street, Purisai Village,
Kancheepuram Taluk and District.

Petitioner(s)

Vs

State Represented by
The Sub Inspector of Police,
Ponnerikarai Police Station,
Kanchipuram District.
Cr.No.292 of 2025

Respondent(s)

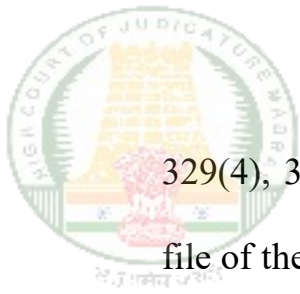
PRAYER:- The Criminal Original Petition is filed under Section 483 of B.N.S.S., praying to enlarge the petitioner on bail in Cr.No.292 of 2025 pending on the file of the respondent police.

For Petitioner(s): Mr.A. Saranraj

For Respondent(s): Mr.S.Vinoth Kumar
Government Advocate (Crl.Side)

ORDER

The petitioner / Accused, who was arrested and remanded to judicial custody on 12.12.2025 for the offence punishable under Sections 296(b), 115(2), 329(4), 351(2) of BNS and Section 4 of TNPHW Act @ 296(b), 115(2),



329(4), 351(2), 75(i), 75(ii), 76 of BNS and Section 4 of TNPHW Act on the file of the respondent police, seeks bail.

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2. The case of the prosecution is that the petitioner has given a loan of Rs.5,000/- to the defacto complainant. Even after the loan was discharged, he has trespassed into the house of the defacto complainant and sexually assaulted the wife of the defacto complainant. Hence the case.

3. The learned counsel for the petitioner would contend the petitioner is an innocent and he is nothing to do with the alleged offences and he has been falsely implicated in the present case. He is in judicial custody from 12.12.2025. Therefore prayed to grant bail to the petitioner.

4. The learned Government Advocate (Criminal Side) would submit that the defacto complainant had borrowed money from the petitioner and even after the loan was discharged, the petitioner trespassed into the house of the defacto complainant and sexually assaulted the wife of the defacto complainant. Further, he would submit that the investigation is completed in this case and there is no previous case pending against the petitioner. However, he opposed for granting bail to the petitioner.

5. Heard both sides and perused the materials available on record.



6. Considering the nature of offences and the fact that there is a money disputes between the parties and there is no previous case pending against the petitioner and also taking note of the period of incarceration undergone by the petitioner, this Court is inclined to grant bail to the petitioner, subject to the following conditions:-

[a] Accordingly, the petitioner is ordered to be released on bail on condition to execute 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 learned **Judicial Magistrate Court No.II, Kanchipuram** and on further conditions that:

[b] the petitioner shall report before the respondent Police every Saturday for a period of four weeks and thereafter as and when required;

[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;

[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 B.N.S.2023.

26-12-2025

rst

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 official website of this Court will be watermarked and will also have a QR code.



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1.Judicial Magistrate Court No.II,
Kanchipuram.

2.The Sub Inspector of Police,
Ponnerikarai Police Station,
Kanchipuram District.

3.The Public Prosecutor
Madras High Court.



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P.DHANABAL J.

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