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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 27.01.2026

CORAM

THE HONOURABLE MR JUSTICE K. RAJASEKAR

CRL OP NO.1682 of 2026

Vengatesh

... Petitioner

Vs

The State rep. by,
Inspector of Police,
T-10 Thirumullaivoyal Police Station,
Chennai – 600 062
(Crime No.369 of 2025)

... Respondent

PRAYER Criminal Original Petition filed under Section 483 of Bharatiya Nagarik Suraksha Sanhita, 2023, to enlarge the petitioner on bail in Crime No. 369 of 2025 on the file of the Inspector of Police, T-10 Thirumullaivoyal Police Station, Chennai.

For Petitioner(s) : Mr.S. Chrispin Raj
For Respondent(s) : Mr. A. Gopinath
Government Advocate (Crl. Side)

ORDER

The petitioner, who was arrested and remanded to judicial custody on 13.12.2025, for the offences punishable under Sections 87 and 74 of BNS Act in Crime No.369 of 2025, registered on the file of the respondent police, seeks bail.



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2. The case of the prosecution is that the petitioner abducted the victim girl who is a mentally retarded and taken her under the bridge and attempted to commit rape on her. On seeing the activity of the petitioner the victim shouted and hearing her noise the petitioner went away from the scene of occurrence. In the mean time the women missing case is also registered and same was altered and the petitioner was arrested. Hence, this petition.

3. The learned counsel appearing for the petitioner submitted that the petitioner is innocent and he has been falsely implicated in this case and he is in judicial custody from 13.12.2025 and this is not a case of penetrative sexual assault. He further submitted that the petitioner is ready to abide by any conditions that may be imposed by this Court and sought for bail to the petitioner.

4. The learned Government Advocate (Criminal Side) appearing for the respondent while opposing the bail to the petitioner, reiterated the prosecution case and submitted that there is no previous case pending against the petitioner and investigation in this case is pending. Hence, he



opposed to grant bail to the petitioner.

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5.Considering the submissions made by both sides and the fact that it is not a case of aggravated penetrative sexual assault and there is no previous case pending against the petitioner and also considering the period of incarceration undergone by the Petitioner this Court is inclined to grant bail to the petitioner herein with certain conditions.

6.Accordingly, the petitioner is ordered to be released on bail on their executing a bond for a sum of **Rs.15,000/- (Rupees Fifteen Thousand only)** with **two sureties each** for a like sum to the satisfaction of the Judicial Magistrate Court, Ambattur 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 10.30 a.m., for a period of three weeks and thereafter, as and when required for interrogation;



[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 abscond, a fresh FIR can be registered under Section 269 of B.N.S.

27.01.2026

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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.



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To

1. The Inspector of Police,
T-10 Thirumullaivoyal Police Station,
Chennai – 600 062

2. The learned Judicial Magistrate Court,
Ambattur

3. The Superintendent, Central Prison Puzhal, Chennai

4. The Public Prosecutor,
High Court of Madras.



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K. RAJASEKAR, J.

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Crl.O.P. No.1682 of 2026

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