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CRL OP No. 2700 of 2



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 05-02-2026

CORAM

THE HON'BLE MR.JUSTICE K.RAJASEKAR

CRL OP No. 2700 of 2026

E.Rishikumar
S/o. Elangovan,
No.38/20, Ramanujam Street,
Kosapet,
Chennai-600 012.

..Petitioner(s)

Vs

State by The Inspector of Police,
All Women Police Station,
W-28, Kotturpuram Police Station,
Chennai.
Crime No. 22 of 2025.

..Respondent(s)

Prayer Criminal Original Petition filed under Section 483 of Bharatiya Nagarik Suraksha Sanhita, 2023 to enlarge the petitioner on bail pending investigation in Crime No. 22 of 2025, on the file of the respondent and thus render Justice.



For Petitioner(s): T.S.N.Prabhakaran
J.Mohan
Ko.SUPRAMANIAN

For Respondent(s): Mr.A.Gopinath, Govt Advocate

ORDER

The petitioner, who was arrested and remanded to judicial custody on 09.01.2026 for the alleged offence punishable under Section 69 of BNSS 2023 in Crime No.22 of 2025, on the file of the respondent police, seeks bail.

2. The case of the prosecution is that the petitioner promised the victim that he will marry her and had physical relationship with her. It is also alleged that the petitioner has borrowed a sum of Rs.2,00,000/- from the defacto complainant. Thereafter, the petitioner refused to marry her. Hence the case .

3. The learned counsel appearing for the petitioner submitted that the petitioner is an innocent person and he has been falsely implicated in this case. He further submitted that the victim is his cousin and the petitioner had consensual sex with her and it is not a case of cheating. He further submitted that due to difference of opinion they were separated and the petitioner is in judicial custody since 09.01.2026 and ready to co-operate with the investigation. Hence, he prayed to grant bail to the petitioner.



4. The learned Government Advocate (Crl.Side) appearing for the respondent reiterated the prosecution case and submitted that the age of the petitioner is 25 years and the age of the 26 years and the petitioner had sexual relationship with the victim girl and thereafter refused to marry her. 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 submissions of the learned counsel on either side, the fact that petitioner is in judicial custody from 09.01.2026 and considering the age of the victim and the petitioner, this Court is inclined to grant bail to the petitioner on certain conditions.

7. Accordingly, the petitioner is ordered to be released on bail on her 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 XXIII Metropolitan Magistrate, Saidapet, Chennai – 600 015* and on further conditions that:-

[a] the sureties shall affix their photographs and Left Thumb Impression in the surety bond and the Magistrate may obtain a copy of their Aadhar card or Bank pass Book to ensure their identity;



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[b] the petitioner shall report before the respondent police daily at 10.30 a.m., for a period of two weeks and thereafter, as and when required for interrogation.

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

[d] the petitioner shall not tamper with the evidence or witness either during investigation or trial;

[e] On breach of any of the aforesaid conditions, the learned 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];



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[f] If the accused thereafter absconds, a fresh FIR can be registered under Section 269 B.N.S.

05-02-2026

Index: Yes/No

Speaking/Non-speaking order

Neutral Citation: Yes/No

SMN

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 ***XXIII Metropolitan Magistrate, Saidapet, Chennai – 600 015***
- 2.The Inspector of Police,
All Women Police Station,
W-28, Kotturpuram Police Station,
Chennai..
- 3.The Sub jail, Saidapet, Chennai 600 015.
- 4.The Public Prosecutor, High Court, Madras.



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K.RAJASEKAR, J.

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