



WEB COPY

CRL OP No. 9879 of 2



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 21-04-2026

CORAM

THE HON'BLE MR.JUSTICE C.KUMARAPPAN

CRL OP No. 9879 of 2026

P.Vijayakumar S/o.Perumal,
8/1111, Puliyanthoppu,
Kattavaram,
Kettavarampalayam,
Thiruvannamalai District.

..Petitioner(s)

Vs

The State represented by:

The Inspector of Police,
Adhamangalam Pudur Police Station,
Thiruvannamalai District.
[Cr.No.35 of 2026]

..Respondent(s)

PRAYER: The Criminal Original Petition has been filed under Section 483 of B.N.S.S. praying to enlarge the petitioner on bail in respect of Cr.No.35 of 2026 on the file of respondent police.

For Petitioner(s):	M/S. S.B.Viswanathan
For Respondent(s):	Mr. S. Vinoth Kumar, Government Advocate (Criminal side)

ORDER

The petitioner, who was arrested and remanded to judicial custody on 24.03.2026 for the alleged offences under Section 69 of B.N.S. in Crime No.35 of 2026 on the file of the respondent police, seeks bail.



2. The *case of the prosecution* is that the petitioner aged 25 years, on the false promise of marrying the victim girl, had sexual intercourse with her and the victim girl is in advanced stage of pregnancy. Hence the case.

3. The learned counsel appearing for the petitioner would submit that the allegation against this petitioner is that on the pretext of false promise to marry the victim, the petitioner had physical relationship with her and now the victim is 7 months pregnant. The learned counsel further submit that according to the petitioner, the alleged occurrence took place about a year back and he has been falsely implicated in this case and hence prays for grant of bail to the petitioner.

4. The learned Government Advocate (Criminal side) appearing for the respondent police has reiterated the prosecution case and objected to enlarge the petitioner on bail.

5. I have given anxious consideration to the submissions made by the learned counsel on either side.

6. Therefore, taking into consideration of the totality of circumstances, upon the fact that the victim is a major and the relationship between the petitioner and the victim was consensual in nature at the relevant point of time, and also upon the fact that the further incarceration of the petitioner is not



required since he has been under judicial custody since 24.03.2026, this Court is inclined to enlarge the petitioner on bail, subject to the following stringent conditions:

7. Accordingly, the petitioner is ordered to be released on bail on his executing a bond for a sum of Rs.25,000/- (Rupees Twenty-five Thousand only) with two sureties each, for a like sum to the satisfaction of the **learned Judicial Magistrate, Kalasapakkam** 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 sign before the respondent police daily at 10.30 a.m. and 5.30 p.m. for a period of 30 days and thereafter to appear before the investigation officer 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 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]:

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

21-04-2026

MJS

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, Kalasapakkam.
2. The Inspector of Police, Adhamangalam Pudur Police Station, Thiruvannamalai District.
3. The Sub Jail, Polur, Tiruvannamalai.
4. The Public Prosecutor, High Court of Madras.



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C.KUMARAPPAN, J.

MJS

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