



WEB COPY

CRL OP No. 10955 of 2026



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 13-05-2026

CORAM

THE HON'BLE MR.JUSTICE P. DHANABAL

CRL OP No. 10955 of 2026

Magesh,
S/o.Iyyapan Aachari

..Petitioner

Vs

The State,
Represented by Inspector of Police,
All Women Police Station,
Saidapet, Chennai – 600 015.
(Crime No.3 of 2026)

..Respondent

Prayer : Criminal Original Petition filed under Section 483 of BNSS, 2023, to enlarge the petitioner on bail in Crime No.3 of 2026 on the file of the Inspector of Police, All Women Police Station, Saidapet, Chennai.

For Petitioner : Ms.M.Lokeshwari
For Respondent : Mr.R.Vinothraja
Government Advocate (Crl.Side)

ORDER

The petitioner, who was arrested and remanded to judicial custody on 16.02.2026 for the alleged offence under Sections 64, 69, 87, 75(2) of BNS and u/s 3(1), 4(2)(c) r/w Section 4(1) of the Immoral Traffic (Prevention) Act, 1956, in Crime No.3 of 2026, on the file of the respondent police, seeks bail.



WEB COPY

2. The case of the prosecution is that the defacto complainant moved from her native place to Chennai and began working in the Canteen at Nandanam Arts College. The petitioner, along with the other co-accused allegedly committed rape on the defacto complainant. Furthermore, they took the defacto complainant to unknown individuals and, after receiving money, compelled her to have physical relationships with them. Hence, the case.

3. Learned counsel appearing for the petitioner submitted that the petitioner is an innocent person and only after the arrest of A1 to A4 and based on their confession statement, the petitioner has been implicated in this case and was arrested and is in judicial custody from 16.02.2026. He further submits that co-accused, namely A1 and A4 were already granted bail. Hence, he prayed to grant bail.

4. Learned Government Advocate (Crl.Side) appearing for the respondent police reiterated the prosecution case and submitted that investigation is not yet completed. Hence, he opposed to grant bail to the petitioner.



WEB COPY

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

6. Considering the rival submissions made by the learned counsel on either side, the nature of the offences, and also the fact that FIR was registered on 28.01.2026 and by this time, investigation might have completed and also considering the period of incarceration undergone by the petitioner, and the co-accused were enlarged on bail, 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 **IX Metropolitan Magistrate Court at Saidapet**, and on further conditions that:-

[b] the petitioner shall report before the concerned jurisdictional Magistrate Court on all working days 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;

[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.

13-05-2026

index: Yes/No
Internet: Yes/No
Speaking/Non Speaking order
sp

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 IX Metropolitan Magistrate Court at Saidapet.
2. The Public Prosecutor,
Madras High Court, Chennai.
3. The Inspector of Police,
All Women Police Station,
Saidapet, Chennai – 600 015.
4. The Superintendent of Police,
Central Prison, Puzhal.

WEB COPY



WEB COPY

CRL OP No. 10955 of 2026



P.DHANABAL, J.

sp

CRL OP No. 10955 of 2026

13-05-2026