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CRL O.P. No.12149 of 2026

IN THE HIGH COURT OF JUDICATURE AT MADRAS

Dated : 13.05.2026

CORAM

THE HONOURABLE MR.JUSTICE.P.DHANABAL

CRL OP.No.12149 of 2026

1. Iyyappan

S/o.Santhakumar

2. Muthu Krishnan

S/o. Santhakumar

..Petitioners

Vs

The State represented by:
The Inspector of Police,
All Women Police Station,
Gummidipoondi.
(Cr.No.4 of 2026)

.... Respondent

PRAYER: - The Criminal Original Petition is filed under Section 483 of B.N.S.S., praying to grant bail to the petitioner in Cr.No.4 of 2026 on the file of the respondent police.

For Petitioners : Mr.N.Saravanan

For Respondent : Mr.Vinothraja, Govt. Advocate (Crl.Side)

ORDER

The petitioner, who was arrested on 12.03.2026 and remanded to judicial custody on the same day for the offences punishable under Sections 70(1), 74 and 87 of B.N.S. in Cr. No.4 of 2026 on the file of the



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respondent police seeks bail.

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2 The case of the prosecution is that the defacto complainant is running a petty shop. On 11.03.2026 at about 10.00 p.m. the accused person asked for beedi and the defacto complainant told them that she is not selling the same and hence the accused had quarrel and forcibly taken her to nearby lakeside and committed sexual assault on her. Hence the case.

3 The learned counsel for the petitioners would contend that the respondent police have registered a false case against the petitioners and they are innocent and they have not committed any offence as alleged by the prosecution. He would further submit that the petitioners are in judicial custody from 12.03.2026. Hence he prayed that the petitioners may be released on bail.

4 The learned Government Advocate (Criminal Side) would submit that there is no injury sustained by the defacto complainant. In this case investigation completed and Final Report has also been filed. He would further submit that there is no previous case pending against the petitioners.



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

6 Considering the rival submissions on either side, nature of offences and the fact that no previous case is pending against these petitioners and also investigation completed and Final Report has also been filed and the period of incarceration undergone by the petitioners, I am inclined to grant bail to the petitioners subject to the following conditions:

[a] Accordingly, the petitioners are ordered to be released on bail on condition to execute a bond for a sum of Rs.10,000/- (Rupees Ten Thousand only) each with two sureties each for a like sum to the satisfaction of the District Munsif cum Judicial Magistrate, Gummidipoondi, and on further conditions that:

[b] the petitioners shall report before the Jurisdictional Magistrate daily at 10.30 a.m. until further orders.

[c] the petitioners shall not commit any offence similar to the offence of which they are accused, or suspected, or of the commission of which he is suspected;

[d] the petitioners shall not abscond either during investigation or



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trial;

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[e] the petitioners 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 petitioners in accordance with law as if the conditions have been imposed and the petitioners 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 229A IPC.

13.05.2026

Index: Yes/No

Internet: Yes/No

Speaking/Non Speaking order

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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.

To

1. The Inspector of Police, All Women Police Station, Gummidipoondi.
2. The District Munsif cum Judicial Magistrate, Gummidipoondi,
3. The Public Prosecutor, Madras High Court.

Copy to:

The Superintendent of Prison, Central Prison, Puzhal.



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P.DHANABAL,J

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