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IN THE HIGH COURT OF JUDICATURE AT MADRAS

Dated : 13.05.2026

CORAM

THE HONOURABLE MR.JUSTICE.P.DHANABAL

CRL.O.P.No.12411 of 2026

Thulasiraman

..Petitioner

Vs

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

.... Respondent

PRAYER: - The Criminal Original Petition is filed under Section 483 of B.N.S.S., Act, 2023, praying to grant bail to the petitioner in Cr.No.4 of 2026 on the file of the respondent police.

For Petitioner : Mr.P.Chandrasekar

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 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 petitioner along with other accused asked for beedi and the defacto complainant told them that she is not selling the same and hence the accused persons had quarrel and forcibly taken her to nearby lakeside and committed sexual assault on her. Hence the case.

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

4. The learned Government Advocate (Criminal Side) would submit that offences are grave in nature, however 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 petitioner.

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



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

[a] Accordingly, the petitioner is 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 Judicial Magistrate, Gumudipoondi, and on further conditions that:

[b] the petitioner shall report before the Jurisdictional Magistrate daily 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 229A IPC.

13.05.2026

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 Police Station,
Thiruvallur District.

2. The Judicial Magistrate, Gumudipoondi.
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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