

CRL OP No. 13669 of 2026

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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 21-05-2026

CORAM

THE HON'BLE MR.JUSTICE R.SAKTHIVEL

CRL OP NO. 13669 OF 2026

Selvi,
W/o.Chinnyan,
No.149, 4th Street,
Kannikapuram, Saligramam,
Chennai – 600 098.

...Petitioner / A2

Vs

The State rep by,
The Inspector of Police
W-27 AWPS Vadapalani Police Station,
Chennai.
(Crime No.3 of 2026)

...Respondent/ Complainant

PRAYER:- Criminal Original Petition filed under Section 483 of the Bharatiya Nagarik Suraksha Sanhita (BNSS), 2023 praying to grant bail to the petitioner in Crime No.3 of 2026 on the file of the respondent-police.

For Petitioner : Mr.E.Sathiyaraj

For Respondent : Mr.L.Baskaran,
Government Advocate (Criminal Side)



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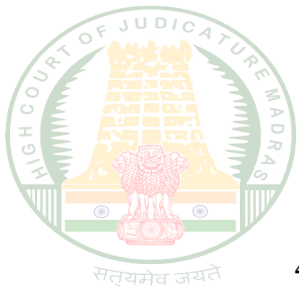
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ORDER

This Criminal Original Petition has been filed by the petitioner on 18.05.2026 under Section 483 of Bharatiya Nagarik Suraksha Sanhita (BNSS), 2023 praying to grant bail.

2. The petitioner / accused was arrested and remanded to judicial custody on 23.02.2026 for the alleged offences punishable under Sections 64(2)(f), 64(2)(1) and 64(2)(m) of BNS, in Crime No.3 of 2026 on the file of the respondent-police.

3. The case of the prosecution is that the petitioner is A2 and the mother of the victim girl. It is alleged that A2 had obtained financial assistance from A1 for the purpose of her elder daughter's marriage. While so, A2 allegedly administered tablets to the victim girl, who is her younger daughter, and when the victim was in an unconscious state, A1 committed rape on her. Hence this case.



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4. Mr.E.Sathiyaraj, learned counsel for the petitioner, submits that the petitioner is an innocent person and she has not committed any offence as alleged by the prosecution. He further submits that the petitioner has been in judicial custody since 23.02.2026. He further submits that the co-accused/A1 has already been released on bail by this Court in Crl.O.P.No.10910 of 2026 dated 13.05.2026 and further, the petitioner is ready to abide by any stringent conditions that may be imposed by this Court. He therefore prays to grant bail to the petitioner.

5. *Per contra*, Mr.L.Baskaran, the learned Government Advocate (Criminal Side) appearing for the respondent-police, submits that there are totally two accused in this case and the petitioner is arrayed as A2. He further submits that the investigation has not been completed. The learned Government Advocate (Criminal Side) contends that if the petitioner is released on bail, there is a chance to once again commit sexual assault on the victim girl. Accordingly, he prays for the dismissal of this petition.

6. Heard on both sides. This Court has perused all the materials available on record.



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7. The petitioner was arrested on 23.02.2026 and she is in incarceration since 23.02.2026. This Court has perused the statement of the victim girl recorded under Section 183(5) of BNSS Act. Considering the facts and circumstances of the case and the period of incarceration, this Court is inclined to grant bail to the petitioner, however, subject to certain conditions. Accordingly, bail is granted to the petitioner subject to the following conditions:

(i) The petitioner shall execute a bond for Rs.25,000/- (Rupees Twenty Five Thousand only) along with two sureties each for a like sum of Rs.25,000/- (Rupees Twenty Five Thousand Only) to the satisfaction of the learned XXIII Metropolitan Magistrate Court, Saidapet, Chennai.

(ii) The sureties shall affix their photographs and left thumb impression in the Application for Suretyship [Judicial Form No.46 annexed to 'The Criminal Rules of Practice, 2019']. The learned XXIII Metropolitan Magistrate Court, Saidapet, Chennai, shall obtain a copy of any one of their identity proofs to ensure their identity.



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(iii) The petitioner shall appear and sign before the learned
**XXIII Metropolitan Magistrate Court, Saidapet, Chennai, daily at
05.30 p.m. until further orders;**

(iv) The petitioner/accused shall not enter the area within 500 meters
of the victim, her residence and her workplace;

(v) The petitioner/accused shall keep the Investigation Officer
updated/posted about her permanent as well as present place of residence
and mobile number. Any change thereof shall also be immediately
intimated to the Investigation Officer;

(vi) The petitioner shall not, directly or indirectly, cause any threat
to the victim, *defacto* complainant and witnesses and shall not tamper the
evidence.

(vii) On breach of any of the aforementioned conditions, the learned
XXIII Metropolitan Magistrate Court, Saidapet, Chennai, or Trial Court is



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entitled to pass appropriate orders against the petitioner in accordance with law as if the aforementioned conditions are imposed by them as laid down by the Hon'ble Supreme Court in ***P.K. Shaji vs. State of Kerala*** [(2005) 13 SCC 283].

8. Accordingly, this Criminal Original Petition is allowed subject to the conditions stated *supra*.

21-05-2026

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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.



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To

1. The XXIII Metropolitan Magistrate Court,
Saidapet, Chennai.
2. The Superintendent of Prison,
Special Prison for Women,
Puzhal, Chennai.
3. The Inspector of Police
W-27 AWPS Vadapalani Police Station,
Chennai.
4. The Public Prosecutor,
High Court, Madras.



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R.SAKTHIVEL, J.

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