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Order QR

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 05-11-2026

CORAM

THE HON'BLE MR.JUSTICE N.RAMESH

CRL OP No. 32184 of 2026

CNR: {HCMA012636232026}

Case QR

Rajesh
S/o Rajavelu,
No.3305, 8th Street,
Kandigai Nagar,
Oggiam, Thuraipakkam,
Chennai.

..Petitioner(s)

Vs

The State Rep by The Inspector of Police
Tiruvanmiyur Police Station,
Chennai.
Crime No.542 of 2026.

..Respondent(s)

PRAYER : Criminal Original Petition filed under Section 483 of Bharatiya Nagarik Suraksha Sanhita, 2023, to enlarge the accused/petitioner on bail pending investigation in Crime no.542 of 2026 on the file of the Respondent.

For Petitioner(s): Mr.P.Praveen Kumar

For Respondent(s): Mr.M.M.I. Khaleel
Government Advocate (Crl.Side)

ORDER

The petitioner, who was arrested and remanded to judicial custody on 07.10.2026 for the alleged offences under Sections 75(1) (ii) of BNS Act 2023, in Crime No.542 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, a woman, was in the habit of communicating with the petitioner in OLX app for a job. Believing his representation, she sent her photo and resume. Subsequently, the petitioner allegedly sent a wrong Whatsapp message to her and asked her to adjust with him. Hence, the complaint.

3. The learned counsel appearing for the petitioner submitted that the petitioner has been falsely implicated in the present case due to personal vengeance and that he has not committed any offence as alleged by the prosecution. He further submitted that the petitioner is in judicial custody since 07.10.2026 and that he is ready to abide by any stringent conditions that may be imposed by this Court. Hence, he prays for grant of bail to the Petitioner.

4. Per contra, the learned Government Advocate (Criminal Side) appearing for the Respondent Police reiterated the prosecution case and submitted that the mobile phone of the petitioner was recovered and sent to forensic analysis and the report is awaited. He further submitted that the investigation is still pending. However, he opposed the grant of bail to the Petitioner.

5. I have given my anxious consideration to either side submissions and perused the materials available on record.

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6. Considering the submissions made by the learned counsel on both sides and the nature of the allegations, it is seen that the petitioner's mobile phone has already been recovered and sent for forensic analysis and the report is awaited. Further, considering the period of incarceration, and the fact that no further custodial interrogation may be required, this Court is inclined to enlarge the petitioner on bail subject to certain 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 XVIII Metropolitan Magistrate, Saidapet Court,** 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 report before the respondent police daily at 10.30 a.m., until further orders;**
>
> [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,

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the learned Magistrate/Trial Court is entitled to pass appropriate orders against the petitioner in acc 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.

05-11-2026

DRL

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 XVIII Metropolitan Magistrate,
Saidapet Court.

2. The Inspector of Police
Tiruvanmiyur Police Station,
Chennai.

3.The Superintendent, Central Prison,
Puzhal, Chennai.

4.The Public Prosecutor,
High Court, Madras.

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N.RAMESH, J.

DRL

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