Order QR

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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 05-11-2026

CORAM

THE HON'BLE MR.JUSTICE N.RAMESH

CRL OP No. 32448 of 2026

CNR: {HCMA012648372026}

Case QR

G.Mohan
S/o. M.Gajapathi,
33, Flat No.12,
First Floor, Vaibhav Apartments,
Peddu Street, Near Police Quarters,
Kondithope, Mint Building Po.,
Chennai.

..Petitioner(s)

Vs

The State Rep.by, The Inspector of Police
W10, All Women Police Station,
Flower Bazaar, Chennai – 600 003.
Cr.No.21 of 2026.

..Respondent(s)

PRAYER : Criminal Original Petition filed under Section 483 of Bharatiya Nagarik Suraksha Sanhita, 2023, to enlarge the petitioner on bail in Cr.No.21/2026 pending on the file of the Respondent.

For Petitioner(s): Mr.N.Shanmuga Thayumanavan

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

ORDER

The petitioner, who was arrested and remanded to judicial custody on 22.10.2026 for the alleged offence under Section 69 of BNS, 2023 in Crime No.21 of 2026 on the file of the respondent police, seeks bail.

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2. The case of the prosecution is that the petitioner under the pretext of false promise of marriage, having physical relationship with her and later refused to marry her. Hence, this case.

3. The learned counsel appearing for the petitioner submitted that the petitioner has been falsely implicated in the present case and that he has not committed any offence as alleged by the prosecution. He would further submit that the petitioner 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 opposed the grant of bail on the ground that the age of the victim is 31 years old and the petitioner is aged about 39 years. He further submitted that the petitioner has already married and has two children. Hence, he oppose 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.

6. Considering the fact that the victim is aged 31 years and the petitioner is aged 39 years, both being adults and educated persons, and that the petitioner

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is already a married person, the circumstances surrounding the alleged promise to marry require consideration during trial. Further, taking into account the period of incarceration already undergone by the petitioner, this Court is of the firm view that custodial interrogation of the petitioner is not required. Hence, this Court is inclined to enlarge the petitioner on bail on 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**, for a like sum to the satisfaction of the **learned VIII Metropolitan Magistrate Court, George Town, Chennai,** 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., for a period of 15 days and thereafter as and when required for interrogation;**
>
> [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, the learned Magistrate/Trial Court is entitled to pass

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appropriate orders against the petitioner in accordance 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 VIII Metropolitan Magistrate Court,
George Town, Chennai.

2. The Inspector of Police
W10, All Women Police Station,
Flower Bazaar, Chennai.

3.The Superintendent, Central Prison,
Puzhal.

4.The Public Prosecutor,
High Court, Madras.

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N.RAMESH, J.

DRL

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