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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 25-11-2026

CORAM

THE HON'BLE MR.JUSTICE N.RAMESH

CRL OP No. 33910 of 2026

Suman,
S/o.Raja,
Nagarasampatti Village & Post,
Pochamoalli Taluk,
Krishnagiri District. ...Petitioner/Accused

Vs

The Inspector of Police,
SIPCOT Police Station,
Krishangiri District. ...Respondent/Complainant
(Crime No.528 of 2025)

PRAYER : Criminal Original Petition filed under Section 483 of Bharatiya Nagarik Suraksha Sanhita, 2023, to enlarge the petitioner/accused on bail in Crime No.528 of 2025 on the file of the Inspector of Police, Sipcot, Krishangiri District.

For Petitioner(s): Mr.Reegan Ujakar.A

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

O R D E R

The Petitioner, who was arrested and remanded to judicial custody on 11.12.2025 for the alleged offence under Sections 64(1), 115(2), 118(1), 127(2), 332(b) and 351(3) of the Bharatiya Nyaya Sanhita, 2023, in Crime No.528 of 2025 on the file of the respondent police, seeks bail.

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2. It is a case of rape of an elderly woman aged 84 years. According to the prosecution, on 11.12.2025, the petitioner trespassed into the house of the 84-year-old victim at Hosur, sexaully assaulted and raped her, and threatened her with dire consequences. Hence, the case.

3. The learned counsel for the petitioner submitted that the petitioner is an innocent and has been falsely implicated in this case. He further submitted that the petitioner has been in judicial custody since 11.12.2025. He also further submitted that the petitioner was detained under the preventive detention law; however, the detention order was subsequently set aside by this Court in H.C.P.No.80 of 2026 and 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 submitted that the petitioner is aged to have trespassed into the house of an 84-year-old woman and committed rape. He further submitted that the charge sheet has been filed in STC No.87 of 2026. Hence, he stronlgy opposed the grant of bail to the petitioner.

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

6. Considering the age of the victim, the nature and gravity of the allegations and the circumstances under which the alleged offence was committed, this Court is inclined to grant bail to the petitioner, 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 Judicial Magistrate No.II, Hosur,** 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 Trial Court daily at 10.30 a.m., for a period of 30 days and thereafter on every hearing dates without fail;**
>
> [c] the petitioner shall not abscond either during investigation or trial;

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[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 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.

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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 Judicial Magistrate No.II,
Hosur.

2.The Inspector of Police,
SIPCOT Police Station,
Krishangiri District.

3.The Superintendent,
Central Prison, Salem.

4.The Public Prosecutor,
High Court, Madras.

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N.RAMESH, J.

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