



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

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Dated : 20/04/2026

CORAM

THE HONOURABLE MR. JUSTICE P. DHANABAL

CRL OP(MD). No.7576 of 2026

Subaharan

... Petitioner/Sole Accused

Vs

State of Tamilnadu Rep by,
The Inspector of Police,
All Women Police Station,
Thoothukudi District.
(Crime No.15 of 2022)

... Respondent/Complainant

PRAYER :-

To enlarge the petitioner on bail in S.C.No.291 of 2024 on the file of the Fast Track Mahila Court at Thothukudi.

For Petitioner : R.Balakrishnan,
Advocate.

For Respondent : Mr.B.Nambi Selvan,
Additional Public Prosecutor

ORDER : The Court made the following order :-

The petitioner / Accused, who was arrested and remanded to



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judicial custody on 14.01.2026 for the offences punishable under Sections 376 and 417 of the IPC Act, in Crime No.15 of 2022 on the file of the respondent police, seeks bail.

2.The case of the prosecution is that on 19.06.2021, the petitioner received 10 sovereigns of gold jewels from the victim by giving a false promise that he would return the same within 2 days and on 18.02.2022 at about 11.30 a.m, he had sexual intercourse with the victim and hence, she become pregnant. When the same was informed to him, he refused to marry her and also failed to return her jewels. Hence the case.

3. It is not in dispute that since the petitioner has not turned up for the hearing, Non-Bailable Warrant (NBW) was ordered to be issued on 04.12.2025 and the same was executed on 14.01.2026 and he is still in judicial custody.

4.The learned counsel for the petitioner would submit that the petitioner is an innocent person and he has not committed any offence as



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alleged by the prosecution. He would further submit that the petitioner is in judicial custody from 14.01.2026. Therefore, he prayed to grant bail to the petitioner.

5. The learned Additional Public Prosecutor appearing for the respondent would submit that due to non-appearance, the Non-Bailable Warrant was issued against the petitioner. He would further submit that now the case was posted to 05.05.2026 for issuance of summon.

6. This Court heard both sides and perused the materials available on record.

7. Considering the rival submissions made by the learned counsel on either side, nature of offence, and considering the fact that already the petitioner was granted bail and thereafter, due to non-appearance, NBW was issued on 04.12.2025 and the same was executed on 14.01.2026 and the case was posted for issuance of summon and also considering the period of incarceration undergone by the petitioner, this Court is inclined to grant bail to the petitioner subject to the following conditions:



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[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) with two sureties each for a like sum to the satisfaction of the Fast Track Mahila Court at Thoothukudi, and on further conditions that:

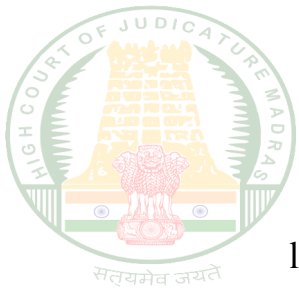
[b] the petitioner shall report before the trial Court, on all working days at 10.30 a.m., until further orders.

[c] the petitioner shall not commit any offence similar to the offence of which he/she is accused, or suspected, or of the commission of which he/she 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 her 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



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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 269 BNS.

(P D B J)
20.04.2026

dss

To

- 1.The Fast Track Mahila Court at Thoothukudi.
- 2.The Inspector of Police,
All Women Police Station, Thoothukudi District.
3. The Superintendent,
Central Prison, Palayamkottai.
- 4.The Additional Public Prosecutor,
Madurai Bench of Madras High Court, Madurai.



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P. DHANABAL,J

DSS

ORDER
IN
CRL OP(MD) No.7576 of 2026

Date : 20/04/2026