



CRL OP(MD). No.305 of 2026

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 02.02.2026

PRESENT

THE HONOURABLE MRS. JUSTICE S.SRIMATHY

CRL OP(MD). No.305 of 2026

Vijay

... Petitioner/ Accused

Vs

The State of Tamilnadu
Rep by the Inspector of Police,
All Women Police Station,
Kumbakonam,
Thanjavur District.
(Crime No.44 of 2025)

... Respondent/Complainant

For Petitioner : Mr.S.Gurumoorthy

For Respondent : Mr.E.Antony Sahaya Prabahar
Additional Public Prosecutor

PETITION FOR BAIL Under Sec.483 of BNSS

PRAYER :- For Bail in Crime No.44 of 2025 on the file of the respondent police.



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ORDER : The Court made the following order :-

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The petitioner, who was arrested and remanded to judicial custody on 06.12.2025 for the offences punishable under Sections 296(b), 69 and 351(2) of BNS, in Crime No.44 of 2025 on the file of the respondent police, seeks bail.

2. The allegation against the petitioner is that he had sexual intercourse with the defacto complainant on a false promise of marriage and subsequently compelled her to undergo an abortion at Thanjavur Hospital, which led to the filing of the present complaint.

3. The learned counsel for the petitioner submitted that the petitioner is an innocent person and he has not committed any offences as alleged by the prosecution. He further submitted that the petitioner is ready and willing to abide by any conditions which may be imposed by this Court and he is in judicial custody from 06.12.2025. Hence, he seeks bail to the petitioner.



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4. The learned Additional Public Prosecutor submitted that there are no previous case pending against the petitioner. However, he opposed for grant of bail to the petitioner.

5. Taking into consideration of the facts and circumstances of the case and also considering the period of incarceration suffered by the petitioner, this Court is inclined to grant bail to the petitioner, subject to the following conditions:

6. Accordingly, the petitioner is ordered to be released on bail on executing 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 learned Judicial Magistrate Court No.II, Kumbakonam, and on further conditions that :-

[a] the sureties shall affix their photographs and Left Thumb Impression in the surety bond and the Magistrate may obtain a copy of their Aadhar card or Bank pass Book to ensure their identity.

[b] the petitioner shall appear before the respondent police daily at 10.30 a.m., until further



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orders.

[c] the petitioner shall not abscond either during investigation or trial.

[d] the petitioner shall not tamper with evidence or witness either during investigation or trial.

[e] On breach of any of the aforesaid conditions, the learned 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].

[f] If the accused thereafter absconds, a fresh FIR can be registered under Section 269 BNS.

(S S Y J)
02.02.2026

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To

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1. The Judicial Magistrate Court No.II,
Kumbakonam.
2. The Superintendent, Sub Jail,
Thanjavur.
3. The Inspector of Police,
All Women Police Station,
Kumbakonam,
Thanjavur District.
4. The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.



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S.SRIMATHY,J.

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ORDER
IN
CRL OP(MD) No.305 of 2026

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