



CrI.O.P.No.22419 of 2024

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 12.09.2024

CORAM

THE HON'BLE MR. JUSTICE P.DHANABAL

CrI.O.P.No.22419 of 2024

Tamilarasan @ Raja

...Petitioner

Vs.

The State rep by
The Inspector of Police
All Women Police Station,
Ennore, Thiruvallur - District
(Crime No.14 of 2024)

...Respondent/Complainant

PRAYER: Criminal Original Petition filed under Section 483 of B.N.S.S. Act, 2023, praying to enlarge the petitioner on bail in Crime No.14 of 2024 on the file of respondent police.

For Petitioner : Mr.S. Gopi

For Respondent : Mr.S.Vinoth Kumar
Government Advocate (CrI. Side)



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ORDER

The petitioner, who was arrested and remanded to judicial custody on 08.07.2024 for the offences under Sections 7 r/w Section 8 of the POCSO Act, 2012 in Crime No.14 of 2024 on the file of the respondent police, seeks bail.

2. The case of the prosecution is that the petitioner introduced himself as a Sub Inspector of Police and compelled the victim girl to marry him. It is further alleged that the petitioner sexually harassed the victim girl. Hence, the case.

3. Learned counsel for the petitioner submitted that the petitioner is an innocent person, he has not committed any offence as alleged by the prosecution, and he has been falsely implicated in this case. He further submitted that the petitioner has been in custody since 08.07.2024; that he is a law-abiding citizen; that he is ready to furnish substantial sureties for his due release on bail; and therefore, he prays for the grant of bail to the petitioner.



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4. Learned Government Advocate (Crl.Side) for the respondent police submitted that the petitioner introduced himself as a Sub Inspector of Police and compelled the victim girl to marry him; that the petitioner sexually harassed the victim girl; that the investigation is still pending. He further submitted that there are no previous cases pending against the petitioner. However, he vehemently opposed the grant of bail to the petitioner.

5. Heard the learned counsel for the petitioner and the learned Government Advocate (Crl.Side) for the respondent and perused the materials available on record.

6. Considering the submissions of the learned counsel on either side, the nature of the offences charged against the petitioner, that there are no previous cases pending against the petitioner and also considering the period of incarceration undergone by the petitioner, this Court is inclined to grant bail to the petitioner, subject to certain conditions.



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7. Accordingly, the petitioner is ordered to be released on bail on his 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 ***District Mahila Judge, (Fast Tract Court), Tiruvallur*** and on further conditions that:

[a] the petitioner shall report before the District Mahila Judge, (Fast Tract Court), Tiruvallur on all working days at 10.30 a.m., until further orders, without fail;

[b] the petitioner shall attend in accordance with the conditions of the bond;

[c] the Petitioner shall not commit any offences of similar to the offence of which he is accused, or suspected, or of the commission of which he is suspected;

[d] 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 him from disclosing such facts to the Court or to any police officer or tamper with the evidence;

[e] the Petitioner shall not abscond either during investigation or trial;

[f] On breach of any of the aforesaid conditions, the learned Judicial Magistrate/Trial Court is entitled to take



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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]; and

[g] If the accused thereafter absconds, a fresh FIR can be registered under Section 269 B.N.S.

12.09.2024

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To

- 1.The District Mahila Judge, (Fast Tract Court), Tiruvallur
2. The Inspector of Police
All Women Police Station,
Ennore, Thiruvallur District
- 3.The Central Prison, Puzhal
- 4.The Public Prosecutor,
High Court of Madras.



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P.DHANABAL, J.

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