



WEB COPY



Crl.O.P.No. 29416 of 2024

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 04.12.2024

CORAM

THE HON'BLE MR. JUSTICE A.D.JAGADISH CHANDIRA

Crl.O.P.No. 29416 of 2024

Vinoth

... Petitioner

Vs.

The State rep. by
The Inspector of Police,
Katpadi AWPS Police Station,
Vellore.
(Crime No. 15 of 2024)

... Respondent

PRAYER : Criminal Original Petition filed under Section 483 of Bharatiya
Nagarik Suraksha Sanhita, 2023, to enlarge the petitioner on bail in
connection with Crime No. 15 of 2024 pending investigation on the file of
the respondent Police.

For Petitioner : Mr.D. Anandan

For Respondent : Mr.Leonard Arul Joseph Selvam
Government Advocate (Crl.Side)

ORDER

Petition seeking bail in respect of Crime No.15 of 2024 registered



Crl.O.P.No. 29416 of 2024

for the offences punishable under Sections 11(iv) r/w Section 12 of POCSO Act and Sections 75, 78, 296(b), 351(3) of BNS is on board for consideration.

2.The incarceration of the petitioner being from 03.09.2024 pleading innocence on the part of the petitioner and false implication in the case, learned counsel for the petitioner seeks indulgence of this Court. He also submits that due to previous enmity, on 16.07.2024, the de facto complainant along with other family members has brutally attacked the petitioner, resulting in his hospitalisation and thereafter, false case has been registered as if the petitioner misbehaved with the victim girl. He also submits that the petitioner is no way connected with the alleged offences and he is ready to abide by any stringent condition that may be imposed by this court.

3.The case of the prosecution as putforth by the learned Government Advocate (Criminal Side) appearing for the respondent police, opposing for grant of bail, is that the petitioner exposed himself in a state of nudity and misbehaved with the minor victim girl in the neighbouring house.

4.Having heard the learned counsel for the petitioner and the



Crl.O.P.No. 29416 of 2024

learned Government Advocate (Criminal Side) for the respondent Police and perused the materials available on record, this court is inclined to grant bail to the petitioner with certain conditions and accordingly, the petitioner is ordered to be released on bail on his executing a bond for a sum of **Rs.15,000/- (Rupees Fifteen Thousand only)** with **two sureties**, each for a like sum to the satisfaction of the Special POCSO Court, Vellore District, 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 stay at Salem and report before the Inspector of Police, Fairlands Police Station , everyday at 06.30 p.m., until further 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



WEB COPY



CrI.O.P.No. 29416 of 2024

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 of B.N.S.

04.12.2024

sai



Crl.O.P.No. 29416 of 2024

To
WEB COPY

1. The Special POCSO Court,
Vellore District.
2. The Inspector of Police,
Katpadi AWPS Police Station,
Vellore District.
3. The Inspector of Police,
Fairlands Police Station,
Salem District.
4. The Superintendent,
Central Prison, Vellore,
Vellore District.
5. The Public Prosecutor,
High Court of Madras.



WEB COPY



CrI.O.P.No. 29416 of 2024

A.D.JAGADISH CHANDIRA., J.

sai

CrI.O.P.No. 29416 of 2024

04.12.2024