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Crl.O.P.No.1417 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED :22.01.2025

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

Crl.O.P.No.1417 of 2025

Chinnathambi @ Hanastraj @ Thirumoorthy ... Petitioner

Vs.

State represented by
The Inspector of Police,
AWPS Mettur Police Station,
Salem District.
(Cr.No. 21 of 2024)

... Respondent

PRAYER : Criminal Original Petition filed under Section 483 of Bharatiya
Nagarik Suraksha Sanhita, 2023, to enlarge the petitioner on bail in Crime No. 21
of 2024 on the file of the respondent.

For Petitioner : Mr C. Deepakkumar

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

ORDER

Petition seeking bail in respect of Crime No.21 of 2024 registered for
the offences punishable under Sections 137(2), 87 of BNS, 2023 and Section 7
r/w 8 of POCSO Act, 2012 is on board for consideration.

2.The incarceration of the petitioner being from 29.10.2024 pleading



Cr1.O.P.No.1417 of 2025

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 it is a case of love affair. 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, in spite of being warned by the de facto complainant, continued his love affair with the younger daughter of the de facto complainant, aged about 13 years.

4.Having heard the learned counsel for the petitioner and the learned Government Advocate (Criminal Side) for the respondent Police and perused the materials available on record and considering the period of incarceration undergone by the petitioner, 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 learned Sessions Judge, Principal POCSO Court, Salem and on further conditions that:

[a] the sureties shall affix their photographs and Left



Crl.O.P.No.1417 of 2025

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 Chennai and report before the Inspector of Police, North Beach 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 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.

22.01.2025

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CrI.O.P.No.1417 of 2025

A.D.JAGADISH CHANDIRA, J.
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To

1. The Sessions Judge,
Principal POCSO Act,
Salem.
2. The Inspector of Police.
AWPS Mettur Police Station,
Salem District.
3. The Superintendent,
Central Prison, Salem.
4. The Public Prosecutor,
High Court of Madras.

CrI.O.P.No. 1417 of 2025

22.01.2025