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Crl.O.P. No.272 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 08.01.2025

CORAM

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

Crl.O.P.No. 272 of 2025

Maheshwaran

..Petitioner

Vs.

State rep. by  
Inspector of Police,  
All Women Police Station,  
Erode District.  
(Crime No. 64 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. 64  
of 2024 on the file of the respondent.

For Petitioner : Mr.P.Asai Thambi

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

### **ORDER**

Petition seeking bail in respect of Crime No.64 of 2024 registered for  
the offences punishable under Sections 9(n) and 10 of Protection of Children



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from Sexual Offences Act, 2012 is on board for consideration.

2.The incarceration of the petitioner being from 13.11.2024 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 a false case has been given against the petitioner. He also submits that the petitioner is a married man and he has got four daughters. He also submits that the petitioner is affected by TB. 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 is alleged to have committed aggravated sexual assault on the victim girl aged about 13 years. He further submits that the petitioner entered into the house of the victim girl and inappropriately touched the minor victim girl.

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



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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 Fast Track Mahila Court, Erode 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 Vellore and report before the Inspector of Police, Sathuvacheri Police Station, Vellore everyday at 10.30 a.m., until further orders. It is made clear that the petitioner shall not enter the jurisdictional limits of the respondent police 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



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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.

08.01.2025

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**A.D.JAGADISH CHANDIRA, J.**  
*sai*

To

1. The Fast Track Mahila Court,  
Erode.
2. The Inspector of Police,  
All Women Police Station,  
Erode District.
3. The Inspector of Police,  
Sathuvacheri Police Station, Vellore.
4. The Superintendent,  
Sub Jail, Gobi.
5. The Public Prosecutor,  
High Court of Madras.

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