



CRL O.P. No.602 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

Dated : 13.02.2025

CORAM:

THE HONOURABLE MR. JUSTICE SUNDER MOHAN

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Karan @ Karadikaran

... Petitioner / Accused

Versus

State: Rep. by
The Inspector of Police,
All Women Police Station,
Meenambakkam, Chennai.

... Respondent

PRAYER: Criminal Original Petition filed under Section 483 of B.N.S.S., praying to enlarge the petitioner on bail pending investigation in Crime No.1 of 2024 on the file of the respondent Police.

For Petitioner : Mr. R.Muthukumar

For Respondent : Mr. A. Gopinath,
Government Advocate (Crl. Side).



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ORDER

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This Criminal Original Petition has been filed by the petitioner, who was arrested and remanded to judicial custody on 02.07.2024, seeking bail in Crime No.1 of 2024 registered for the offence under Sections 5(1) and 6(1) 49 of POCSO Act, 2012.

2.The case of the prosecution is that on the complaint of the defacto complainant on 01.07.2024 and on the statement of the victim, the respondent police had registered the case against the petitioner for the aforesaid offence, stating that the petitioner had committed penetrative sexual assault on the victim aged 15 years.

3.Learned Counsel for the petitioner would submit that the victim had voluntarily left the house and the petitioner was known to the victim. He further submitted that the allegation is that the petitioner had relationship with one victim and the co-accused/A1 had relationship with the other victim. He further submitted that the allegations against the petitioner are false and in any case, he has been in judicial custody from



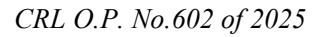
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02.07.2024. He also submitted that final report was filed and since further custody is not required, the petitioner may be released on bail.

4. Learned Government Advocate (Crl.Side) reiterated the case of the prosecution and submitted that the victim, who had relationship with the petitioner, had given the statement under Section 164(5) of Cr.P.C. and final report had already been filed; and that the petitioner has 17 previous cases registered for the offence under IPC and 1 case registered for the offence under NDPS Act and in those cases, the petitioner is released on bail. He has also produced the copy of the statement under Section 164(5) of Cr.P.C. of the victim.

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

6. Admittedly, the petitioner is on bail in all previous cases including the case registered for the offence under NDPS Act and it is



7. Accordingly, the petitioner is ordered to be released on bail on executing a bond for a sum of Rs.15,000/- (Rupees Fifteen Thousand) with two sureties, each for a like sum to the satisfaction of the District Session Judge, Special Court for exclusive trial of cases under the P.O. Act, Chengalpattu.

[b] the petitioner shall report before the Trial Court every working day at 10.30 a.m., until further orders;



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[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 B.N.S.

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To

- 1.The Public Prosecutor,
High Court of Madras,
Chennai.
- 2.The Inspector of Police,
All Women Police Station,
Meenambakkam, Chennai.
- 3.The Session Judge,
Special Court for exclusive trial of cases
under POCSO Act,
Chengalpattu.
- 4.The Superintendent
Central Prison, Puzhal,
Chennai.



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SUNDER MOHAN. J,

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