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Crl.O.P.No.477 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 09.01.2025

CORAM

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

Crl.O.P.No.477 of 2025

K.Lakshmanan

... Petitioner

Vs.

The State represented by,
The Inspector of Police,
Kambainallur Police Station,
Dharmapuri District.

(Crime No.210 of 2024).

... Respondent

PRAYER : Criminal Original Petition filed under Section 483 of BNSS, pleaded to enlarge the petitioner on bail, in connection with the Crime No.210 of 2024, pending investigation on the file of the respondent Police.

For Petitioner : Ms.S.R.Gerthanaasri

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

ORDER

Petition seeking bail in respect of Crime No.210 of 2024 registered for the offences punishable under Girl Missing @ Sections 137(2), 96 of BNS and Sections 5(1), 6(1) of POCSO Act and Section 9 of PCM Act, is on board for



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consideration.

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2. The incarceration of the petitioner being from 08.12.2024 pleading innocence on the part of the petitioner and false implication in the case, the learned counsel for the petitioner seeks indulgence of this Court. He also submits that both the petitioner and the victim girl were in a consensual relationship and without understanding the consequences, they both had sexual intercourse. He further submitted that the petitioner is ready to abide by any stringent condition that may be imposed by this court. Hence, he prayed for bail.

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 was in love affair with the victim girl, who is aged about 17 years and had eloped with him and had sexual intercourse. Due to which, the victim girl got pregnant and thereafter, her pregnancy got aborted.

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, including the statement of the minor victim girl



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under Section 183 of BNSS 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, Special Court for Exclusive Trial of cases under POCSO Act, Dharmapuri** 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 Chennai and report before the Inspector of Police, B1 North Beach Police Station, everyday at 10.30 a.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



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A.D.JAGADISH CHANDIRA., J.

Anu

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.

09.01.2025

Anu

To

1. The Sessions Judge, Special Court
for Exclusive Trial of cases under POCSO Act,
Dharmapuri

2. The Inspector of Police,
Kambainallur Police Station,
Dharmapuri District.

3. The Inspector of Police,
B1 North Beach Police Station

4. The Superintendent,
District Prison, Dharmapuri

5. The Public Prosecutor,
High Court of Madras.

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