



CrI.O.P.No.804 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED :22.01.2025

CORAM

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

CrI.O.P.No.804 of 2025

Gopalakrishnan

... Petitioner

Vs.

The State represented by
The Inspector of Police,
Tirupattur AWPS Police Station
(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 connection with Crime No. 21 of 2024 pending investigation on the file of the respondent Police.

For Petitioner : Mr.M. Arun

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

ORDER

Petition seeking bail in respect of Crime No.21 of 2024 registered for the offences punishable under Sections 11(4) and 12 of POCSO Act and Section 78 of BNS, 2023 is on board for consideration.

2.The incarceration of the petitioner being from 04.12.2024 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



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there was a friendship between the petitioner and the de facto complainant, and upon learning this, the victim's parents pressured her to file a false complaint against him. He also submits that this is not a case of sexual assault. 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 had been stalking the victim girl with sexual intent and threatened her that he would spread false news about her if she refused to talk to him. He further submits that charge sheet has been filed before the Principal District Judge, Thirupattur

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 District and Sessions Judge, Tirupattur District and on further conditions that:



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[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 report before the learned Principal District Judge, Thirupattur, on all working days at 10.30 a.m., for a period of four weeks, and thereafter, on the dates fixed by the learned Judge, concerned;

[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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A.D.JAGADISH CHANDIRA, J.
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To

1. The District and Sessions Judge,
Tirupattur.
2. The Principal District Judge,
Thirupattur
3. The Inspector of Police.
Tirupattur AWPS.
4. The Superintendent,
Central Prison, Vellore.
5. The Public Prosecutor,
High Court of Madras.

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