



Crl.O.P.No.1000 of 2025

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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 21.01.2025

CORAM

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

Crl.O.P.No.1000 of 2025

Aravind

... Petitioner

Vs.

State, Rep. by the
Inspector of Police
Vaipoor Police Station
Thiruvarur District
(Crime No.156 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.156 of 2024 on the file of the respondent Police.

For Petitioner : Mr.P.Muthamizhselvakumar

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

ORDER

Petition seeking bail in respect of Crime No.156 of 2024 registered for
the offences punishable under Sections 5(1), r/w. Section 6 of POCSO is on
board for consideration.

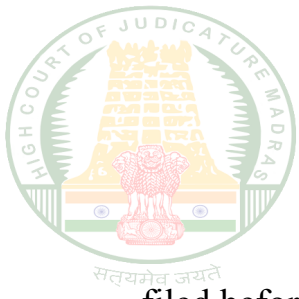


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2.The incarceration of the petitioner being from 19.11.2024 pleading innocence on the part of the petitioner and false implication in the case, learned counsel for the petitioner seeks indulgence of this Court. He further submits that the petitioner comes from a lower socio-economic background and had fallen in love with the victim girl, without fully understanding the consequences had taken the girl from her house and upon learning the registration of the case, the petitioner brought her back home, where he was arrested by the respondent police. He further submits that the medical examination conducted on the victim does not indicate any signs of sexual assault. He also points out that in the statement recorded from the victim girl, she has not mentioned any incident of sexual harassment. He also submits that the petitioner is in 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, who is aged about 19 years, induced the minor victim girl, aged about 14 years and committed penetrative sexual assault on her. He further submits that a statement under Section 183(5) of BNSS also recorded from the victim girl. He further submits that in this matter charge sheet has been



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filed before the Mahila Court, Thiruvavarur.

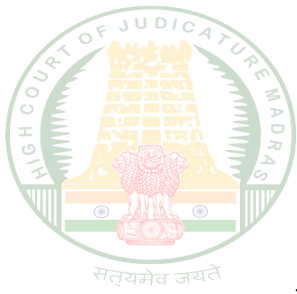
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4.Having heard the learned counsel for the petitioner and the learned Government Advocate (Criminal Side) for the respondent Police and perused the materials available on record including the statement of the victim girl recorded under Section 183(5) 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, Fast Track Mahila Court, Thiruvavarur, 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 report before the learned The Sessions Judge, Fast Track Mahila Court, Thiruvavarur, on all working days at 10.30 a.m., for a period of two weeks, and thereafter, on the dates fixed by the Judge, concerned;

[c] the petitioner shall not abscond either during



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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.

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A.D.JAGADISH CHANDIRA, J.
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To

1.The Sessions Judge, Fast Track Mahila Court,
Thiruvarur

2.The Inspector of Police,
Vaipoor Police Station
Thiruvarur District

3.The Superintendent,
District Prison, Thiruvarur

4.The Public Prosecutor,
High Court of Madras.

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