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CRL OP NO. 3361 of 2025



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 14-02-2025

CORAM

THE HONOURABLE MR JUSTICE G.K. ILANTHIRAIYAN

CRL OP NO. 3361 of 2025

RAJKUMAR

S/o. Rajendran, Colony Street, Kundaveli,
Udaiyarpalaiyam Taluk, Ariyalur District.

Petitioner(s)

Vs

State Rep By, Inspector Of Police
All Women Police Station, Jayankondam,
Ariyalur District. Cr.No.116 Of 2024.

Respondent(s)

PRAYER: This Criminal Original Petition has been filed under Section 483 of BNSS to enlarge the petitioner on bail in Crime No.116 of 2024 on the file of the respondent police.

For Petitioner(s): Mr.K.Balu

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

ORDER

This Criminal Original Petition has been filed by the petitioner, who was arrested and remanded to judicial custody on 07.01.2025, seeking bail in Crime No.116 of 2024 registered for the offence under Sections 5(1), 5(j)(ii) r/w Section 6 of the POCSO Act @ 5(1), 5(j)(ii) r/w Section 6,17 of the POCSO Act and Section 82,85 of the BNS.



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2.The case of the prosecution is that the petitioner was married to a victim minor girl aged 17 years and she got pregnant and was admitted in the hospital for delivery. Hence, the complaint.

3. The learned counsel appearing for the petitioner submitted that the the petitioner is an innocent person and he has been falsely implicated in this case. He further submitted that the petitioner is in custody from 07.01.2025. Hence, he prayed for grant of bail to the petitioner.

4.Learned Government Advocate (Crl.Side) appearing for the respondent police, reiterated the prosecution case and opposed for the grant of bail to the petitioner.

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



6. Considering the fact that the petitioner is a lady and considering the period of incarceration, this Court is inclined to grant bail to the petitioner with certain conditions.

7. Accordingly, the petitioner is ordered to be released on bail on his executing a bond for a sum of **Rs.10,000/- (Rupees Ten Thousand only)** with **two sureties**, each for a like sum to the satisfaction of the **learned Learned Sessions Judge, Fast Track Mahila Court, Ariyalur District** 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 respondent Police as and when required;

[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

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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.

14.02.2025

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Copy to:

1. The Sessions Judge,
Fast Track Mahila Court,
Ariyalur District
2. The Superintendent,
Sub Jail, Jayankondam
3. The Public Prosecutor,
High Court, Madras.
4. The Inspector Of Police
All Women Police Station,
Jayankondam, Ariyalur District.

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