



Crl.O.P.No.4184 of 2025

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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 18.02.2025

CORAM

THE HON'BLE MR. JUSTICE SUNDER MOHAN

Crl.O.P.No.4184 of 2025

Sadaiyandi @ Pandiyan S/o. Kalumuthu ... Petitioner /Accused
Vs.

The State represented by:

The Inspector of Police,
All Women Police Station, Central
Coimbatore City,
Coimbatore District.
(Crime No.12 of 2023).

... Respondent

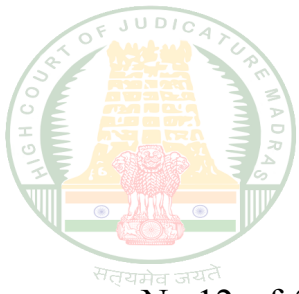
PRAYER: Criminal Original Petition filed under Section 483 of BNSS, pleaded to enlarge the petitioner on bail, in connection with the Crime No.12 of 2023, pending investigation on the file of the respondent Police.

For Petitioner : Mr.P.M. Jayachandran

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

ORDER

This Criminal Original Petition has been filed by the petitioner, who was arrested and remanded to judicial custody on 27.09.2024, seeking bail in Spl. S.C. No.152 of 2023 pending trial on the file of the Principal Sessions Court for exclusive trial of cases under POCSO Act, Coimbatore, in connection with Crime



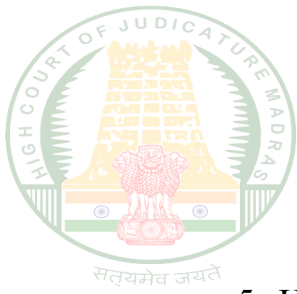
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No.12 of 2023 registered for the offences punishable under Sections 9(1), 9(n) read with 10 of POCSO Act, 2012 and Section 75 of Juvenile Justice Act.

2. The petitioner, who is facing trial before the Principal Special Court for exclusive trial of cases under POCSO Act, Coimbatore for the offences under Sections 9(1), 9(n) read with 10 of POCSO Act, 2012 and Section 75 of Juvenile Justice Act in Spl. S.C. No.152 of 2023, did not appear on 23.04.2024 and hence Non-Bailable warrant was issued and the same was executed and the petitioner was remanded to judicial custody on 27.09.2024.

3. Learned counsel appearing for the petitioner submitted that allegations against the petitioner are false and in any case, his absence in the trial is neither willful nor wanton and since he was already granted bail and considering the period of incarceration, he may be released on bail.

4. Learned Government Advocate (Crl.Side) appearing for the respondent police, would submit that the petitioner was remanded on execution of NBW on 27.09.2024.



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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 in judicial custody from 27.09.2024 and he was already granted bail during investigation, this Court is of the view that further custody of the petitioner is not required and hence inclined to grant bail \with certain conditions.

7. 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 **Principal Special Court for exclusive trial of cases under POCSO Act, Coimbatore**, 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 trial Court on all working days 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]***;

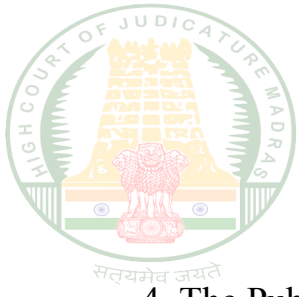
[f] If the accused thereafter absconds, a fresh FIR can be registered under Section 269 B.N.S.

18.02.2025

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To

1. The Principal Special Court for exclusive trial of cases under POCSO Act, Coimbatore.
2. The Inspector of Police, All Women Police Station, Central, Coimbatore City, Coimbatore District.
3. The Superintendent, Central Prison, Cuddalore.



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4. The Public Prosecutor,
High Court of Madras.



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SUNDER MOHAN., J.

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