



CRL OP NO. 3892 of 2025

WEB COPY

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 17-02-2025

CORAM

THE HONOURABLE MR JUSTICE SUNDER MOHAN

CRL OP NO. 3892 of 2025

Premkumar

... Petitioner

Vs.

State Rep By The Inspector Of Police
KVR Nagar AWPS,
Tiruppur District.
Crime No. 1 of 2025

... Respondent

PRAYER: Criminal Original Petition filed under Section 483 of BNSS, pleaded to enlarge the petitioner on bail, in connection with the Crime No.1 of 2025, pending investigation on the file of the respondent Police.

For Petitioner : Ms.S.Valarmathi
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 08.01.2025, seeking bail in Crime No. 1 of 2025 registered for the offences under Section 7 r/w.8, 9(m) r/w.10 of POCSO Act.



CRL OP NO. 3892 of 2025

WEB COPY

2. The case of the prosecution is that the petitioner and the victim girl are neighbours; that the petitioner had shown his private part to the victim girl, who is aged 10 years and thereafter, he had touched the breast and kissed the victim girl. Hence the case.

3. The learned counsel appearing for the petitioner submitted that the petitioner is innocent, as there is previous enmity between the parties he has been falsely implicated in this case, that he is in custody from 08.01.2025, he is aged 65 years and in any case further custody of the petitioner is not required for the purpose of investigation, the petitioner may be released on bail.

4. The learned Government Advocate (Crl.Side) reiterated the prosecution case and produced the 164 statement in which the statement of the victim girl confirms the prosecution case and hence, he opposed for grant of bail.

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.



CRL OP NO. 3892 of 2025

WEB COPY

6. Considering the nature of allegation; period of incarceration; age of the petitioner and since further custody of the petitioner is not required for the purpose of investigation, 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.15,000/- (Rupees Fifteen Thousand only)** with **two sureties**, each for a like sum to the satisfaction of the learned **Sessions Judge, Mahalir Neethimandram, (FTMC), Tiruppur.**

[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, 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;



WEB COPY



CRL OP NO. 3892 of 2025

SUNDER MOHAN., J.

vca

[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.

17.02.2025

vca

To

1. The Sessions Judge, Mahalir Neethimandram, (FTMC), Tiruppur.
2. The Inspector Of Police
KVR Nagar AWPS,
Tiruppur District
3. The Superintendent,
District Jail, Tiruppur
4. The Public Prosecutor,
High Court of Madras.

CRL OP NO. 3892 of 2025