



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 25.02.2025

WEB COPY

CORAM

THE HONOURABLE MR.JUSTICE SUNDER MOHAN

CrI.O.P.No.4745 of 2025

Periyasamy

...Petitioner/Accused

Vs.

State rep by
The Inspector of Police,
AWPS Salem Town Police Station,
Salem.

(Crime No.6 of 2025)

...

Respondent

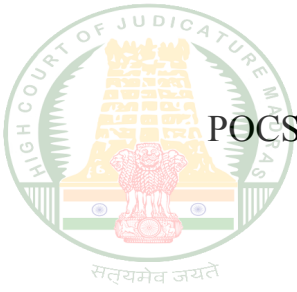
PRAYER: This criminal original petition has been filed under Section 483 of BNSS to enlarge the petitioner on bail in Crime No.6 of 2025 pending investigation on the file of the respondent police.

For Petitioner : Mr.S.Senthilvel

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

ORDER

This Criminal Original Petition has been filed by the petitioner, who was arrested and remanded to judicial custody on 24.01.2025, seeking bail in Crime No.6 of 2025 registered for the offence under Sections 7 & 8 of



POCSO Act.

CrI.O.P.No.4745 of 2



WEB COPY

2.It is the case of the prosecution that the petitioner is the neighbour of the victim; that while the victim was returning home from School, the petitioner called the victim and told her not to worry about the fight between her parents and committed sexual assault by touching her breast. Hence, the case.

3.The learned counsel for the petitioner would submit that the allegations are false and in any case, considering the nature of allegations and the period of incarceration, the petitioner may be released on bail.

4.Per contra, the learned Government Advocate (CrI. Side) reiterated the prosecution case and submitted that since the petitioner and the victim are residing in the same place, the petitioner may be directed to reside elsewhere for some time.

5.Heard the learned counsel appearing for the petitioner and the learned Government Advocate (CrI. Side) for the respondent Police and



perused the materials available on record, including the statement of the victim recorded under Section 183 of BNSS.

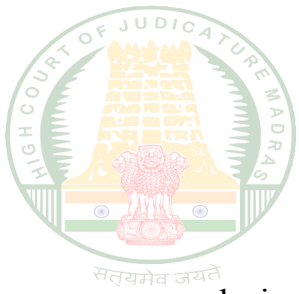
WEB COPY

6.Considering the nature of allegations, period of incarceration and since further custody of the petitioner is not required for the purpose of interrogation, 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 the learned **Sessions Judge, Principal POCSO Court, Salem**, 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 stay at Coimbatore and report before the **Coimbatore Town Police Station, 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;

[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]***;

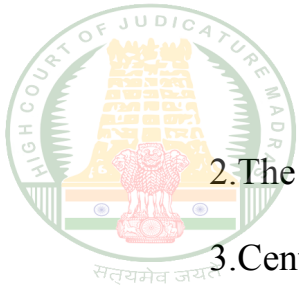
[f] If the accused thereafter absconds, a fresh FIR can be registered under Section 269 B.N.S.

25.02.2025

ata

Copy to:

1.The Inspector of Police,
AWPS Salem Town Police Station,
Salem.



2. The Sessions Judge, Principal POCSO Court, Salem.

3. Central Prison, Salem.

3. The Public Prosecutor,
High Court, Madras.

SUNDER MOHAN, J.

ata



WEB COPY

CrI.O.P.No.4745 of 2



CrI.O.P.No.4745 of 2025

25.02.2025