



CRL O.P. No.4800 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

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Dated : 24.02.2025

CORAM:

THE HONOURABLE MR. JUSTICE SUNDER MOHAN

CRL O.P. No.4800 of 2025

Vasanthakumar

... Petitioner / accused

Versus

The State Rep. By
Station House Officer,
AWPS - Vridhachalam,
Cuddalore District.
Crime No.4 of 2025

... Respondent

PRAYER: Criminal Original Petition filed under Section 483 of B.N.S.S., praying to enlarge the petitioner on bail pending investigation in Crime No.4 of 2025 on the file of the respondent Police.

For petitioner : Mr. N.U. Pressanna.

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

ORDER



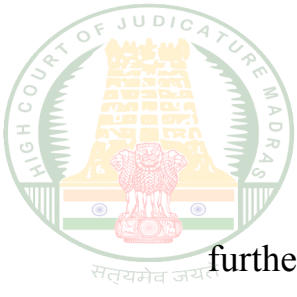
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This Criminal Original Petition has been filed by the petitioner, who was arrested and remanded to judicial custody on 17.01.2025, seeking bail in Crime No.4 of 2025 registered for the offence under Sections 417, 313, 323, 294(b), 506(i) of IPC, 5(l) & 6 of POCSO Act read with Section 9 of Child Marriage Act.

2.The case of the prosecution is that the petitioner and the victim had love affair since 2020; that on 27.08.2020, the petitioner took the victim and had committed penetrative sexual assault in the terrace of his house; that thereafter, the petitioner had sexual intercourse with the victim on several occasions; that the victim came to know that the petitioner's parents were looking for a girl in February 2025 and when the victim had questioned the petitioner, the petitioner abused the victim in filthy language. Hence, the case.

3. Learned counsel for the petitioner submitted that it is the case of love affair; that the complaint was lodged on 17.01.2025 for the alleged occurrence that took place in the year 2020; that the petitioner is an innocent person and he has been falsely implicated in this case; He



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further submitted that the petitioner is in custody from 17.01.2025 and he is ready to abide by any stringent conditions that may be imposed by this Court and since further custody is not required, the petitioner may be released on bail.

4. Learned Government Advocate (Crl.Side) reiterated the case of the prosecution and submitted that the occurrence took place in the year 2020; that when the victim asked the petitioner to marry her, he refused; and that the victim is now aged 19 years.

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

6. Considering the aforesaid facts; nature of allegations; the period of incarceration; the relationship between the petitioner and the victim and since the alleged occurrence took place in the year 2020, this Court is of the view that further custody is not required for the purpose of investigation and inclined to grant bail to the petitioner with conditions.



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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 Special Court for Exclusive Trial of Cases under POCSO Act, Cuddalore.

[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;

[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



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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.

24.02.2025

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To

1.The Public Prosecutor,
High Court of Madras,
Chennai.

2.The Station House Officer,
AWPS - Vridhachalam,
Cuddalore District.

3.The Special Court for Exclusive Trial
of Cases under POCSO Act,
Cuddalore.

4.The Central Jail,
Cuddalore.



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SUNDER MOHAN. J,

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