



WEB COPY



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 26.02.2025

CORAM

**THE HONOURABLE MR.JUSTICE SUNDER MOHAN**

Crl.O.P.No.5070 of 2025

Murasolimaran

...Petitioner/Accused

Vs.

State rep by  
The Station House Officer (SHO),  
Nellikuppam Police Station,  
Cuddalore.  
(Crime No.281 of 2023)

... Respondent

**PRAYER:** This criminal original petition has been filed under Section 483 of BNSS to enlarge the petitioner on bail in Spl.S.C.No.151 of 2023 on the file of the Special Court for Exclusive Trial of Cases under POCSO Act, Cuddalore.

For Petitioner : Mr.Prakash Adiapadam

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



WEB COPY

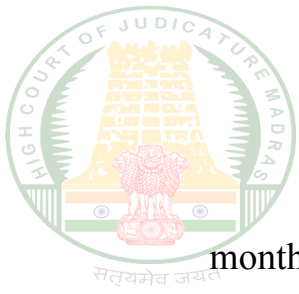
**ORDER**

The petitioner is in custody from 04.02.2025 pursuant to the execution of Non-bailable warrant issued on 28.08.2024 in Spl.S.C.No.151 of 2023.

2.It is the case of the prosecution that the petitioner was involved in the offences under Sections 344, 366 and 350 of IPC and Sections 5(l) and 5(ii) and 6 of POCSO Act and an absconding charge sheet was filed against the petitioner and hence, NBW was issued.

3.The learned counsel for the petitioner would submit that the petitioner was not arrested during investigation and that in any case, the petitioner had a love affair with the victim girl and his further custody therefore is not required and sought for bail.

4.Per contra, the learned Government Advocate (Crl. Side) reiterated the prosecution case and submitted that the victim was aged 17 years 6



WEB COPY

months at the time of occurrence and he had confirmed the fact that the petitioner and the victim girl had a love affair.

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 age of the petitioner and the victim, the fact that there was a love affair between two of them, the petitioner was not arrested during investigation and the period of incarceration suffered by the petitioner, this Court is of the view that further custody of the petitioner is not required for the purpose of investigation. Hence, 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 **Special Court for Exclusive Trial of Cases under POCSO Act, Cuddalore**, and on further conditions that:



WEB COPY

[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 twice in a week i.e., on every Tuesday and Thursday 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.

26.02.2025

ata



WEB COPY

Copy to:

- 1.The Station House Officer (SHO),  
Nellikuppam Police Station,  
Cuddalore.
- 2.The Special Court for Exclusive Trial of Cases under POCSO Act,  
Cuddalore.
- 3.Central Prison, Cuddalore.
- 3.The Public Prosecutor,  
High Court, Madras.



WEB COPY



**SUNDER MOHAN, J.**

ata

**Crl.O.P.No.5070 of 2025**

**26.02.2025**