



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 04.03.2025

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THE HONOURABLE MR.JUSTICE SUNDER MOHAN

Crl.O.P.No.5953 of 2025

Ranjan Kumar

...Petitioner/Accused

Vs.

State rep by
The Inspector of Police,
AWPS-Gummidipoondi Police Station,
Tiruvallur District.

(Crime No.2 of 2025)

...

Respondent

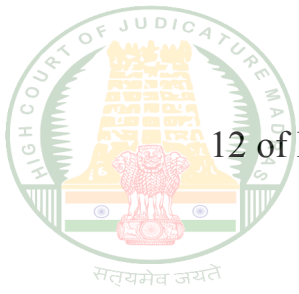
PRAYER: This criminal original petition has been filed under Section 483 of BNSS to enlarge the petitioner on bail in Crime No.2 of 2025 pending investigation on the file of the respondent police.

For Petitioner : Mr.R.Parthiban

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 23.01.2025, seeking bail in Crime No.2 of 2025 registered for the offence under Sections 11(1), 11(4),



12 of POCSO Act, 2012.

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2.It is the case of the prosecution that the petitioner (aged 40 years) and the victim (aged 12 years) were neighbours and that the petitioner had called the victim girl and asked her for sexual favour; that on 21.01.2025 at about 6.30 p.m., when the victim was returning to her house, the petitioner inappropriately touched on her shoulder. Hence, the case.

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

4.Per contra, the learned Government Advocate (CrI. Side) reiterated the prosecution case and produced a copy of the statement of the victim recorded under Section 183 of BNSS and submitted that the petitioner had inappropriately touched the victim girl on her shoulder.

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.

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6.Considering the nature of allegations against the petitioner, the statement of the victim recorded under Section 183 of BNSS and the period of incarceration, 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 Judge for Exclusive Trial of Cases under POCSO Act, Tiruvallur**, 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 Vellore and report before the **AWPS, Vellore, 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;

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[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.

04.03.2025

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Copy to:

1.The Inspector of Police,
AWPS-Gummidipoondi Police Station,
Tiruvallur District.



2. The Special Judge for Exclusive Trial of Cases under POCSO Act,
Tiruvallur.

3. Central Prison, Puzhal.

4. The Public Prosecutor,
High Court, Madras.

SUNDER MOHAN, J.

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