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CrI.O.P.No.5544 of 2



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 28.02.2025

CORAM

THE HONOURABLE MR.JUSTICE SUNDER MOHAN

CrI.O.P.No.5544 of 2025

Vignesh

...Petitioner/Accused

Vs.

State By,
The Inspector of Police,
Thirukkanur Police Station,
Pondy cherry.
(Crime No.22 of 2025)

... Respondent

PRAYER: This Criminal Original Petition filed under Section 482 of BNSS to enlarge the petitioners on bail in the event of his arrest in connection with Crime No.22 of 2025 pending on the file of the respondent.

For Petitioners :Mr.V.Muthupandi

For Respondent :Mr.M.V.Ramachandramurthy,
Additional Public Prosecutor
(Puducherry)
assisted by
Mr.M.Thamizhmani,
Government Advocate (CrI.Side)
Puducherry.

ORDER



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This Criminal Original Petition has been filed by the petitioner, who apprehends arrest at the hands of the respondent, seeking anticipatory bail in Crime No.22 of 2025 registered for the offence under Section 12 of POCSO Act and Section 507 IPC (351(4) of BNS Act).

2. The case of the prosecution is that the defacto complainant, who is now aged about 19 years, and was minor in the year 2023 and the first accused had a love affair; that first accused had induced her to send her nude pictures and make a video call, while she was taking bath; that thereafter, there was a dispute between the first accused and defacto complainant; that first accused and the petitioner, who being the friend of first accused, had abused the victim over phone in filthy language and threatened her of dire consequences.

3. The learned counsel for the petitioner would submit that the first accused was arrested in this case and his mobile phone has been seized and that the only allegation against the petitioner is that he has threatened the victim of dire consequences and further submitted that the custodial interrogation is not required for the purpose of investigation and sought for



anticipatory bail.

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4. The learned Government Advocate (CrI.Side) reiterated the prosecution case and submitted that first accused was arrested and remanded to judicial custody and the allegations against the petitioner is that he had called the victim and threatened and abused her in filthy language.

5.Considering the nature of allegation against the petitioner, this Court is of the view that custodial interrogation is not required for the purpose of investigation. Hence, this Court is inclined to grant anticipatory bail to the petitioner with certain conditions.

7.Accordingly, the petitioner is ordered to be released on bail in the event of arrest or on his appearance, within a period of fifteen days from the date on which the order copy made ready, before **the learned Sessions Judge, Fast Track Court (POCSO Court) at Puducherry**, on condition that the petitioner shall execute a separate bond for a sum of **Rs.10,000/- (Rupees Ten Thousand only) with two sureties each** for a like sum to the satisfaction of the respondent police or the police officer who intends to arrest or to the satisfaction of the learned Magistrate concerned, failing which, the petition for



anticipatory bail shall stand dismissed and on further condition that:

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[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 twice a week i.e, Monday and Friday 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.

28.02.2025

rkp

Copy to:

1.The Inspector of Police,
Thirukkanur Police Station,
Pondycherry.



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2.The Sessions Judge, Fast Track Court (POCSO Court) at Puducherry.

3.The Public Prosecutor,
High Court, Madras.

SUNDER MOHAN, J.

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