



Crl. O.P. No.5821 of 2025

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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 05.03.2025

CORAM

THE HON'BLE MR. JUSTICE SUNDER MOHAN

Crl. O.P. No.5821 of 2025

K. Pechimuthu S/o. Kanthimani

... Petitioner / Accused

Vs.

The State represented by:

The Inspector of Police,
All Women Police Station,
West,
Coimbatore.
(Crime No.2 of 2025).

... Respondent

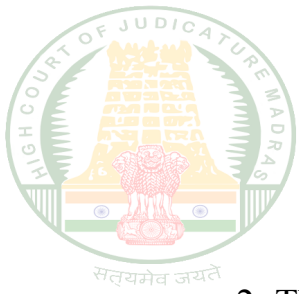
PRAYER: Criminal Original Petition filed under Section 483 of BNSS, pleaded to enlarge the petitioner on bail, in connection with the Crime No.2 of 2025, pending investigation on the file of the respondent Police.

For Petitioner : Mr.B. Ventrivel

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 15.01.2025, seeking bail in Crime No.2 of 2025 registered for the offences under Sections 9(1) read with 10, 11 (iv) read with 12 of POCSO Act, 2012.



Crl. O.P. No.5821 of 2025

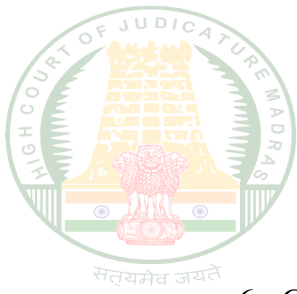
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2. The case of the prosecution is that the petitioner, aged about 55 years, is working in a workshop and the victim is aged about 12 years; that while the victim was returning to her home, after purchase of article for project work, the petitioner had touched her backside and repeated the same twice. Thus he committed the aforesaid offence.

3. Learned counsel appearing for the petitioner submitted that the allegations against the petitioner are false; that complaint has been lodged due to previous enmity; that in any case, considering the period of incarceration and age of the petitioner, the petitioner may be released on bail.

4. Learned Government Advocate (Crl.Side) appearing for the respondent police, reiterated the prosecution case and produced the copy of the 164 Cr.P.C. statement of the victim.

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.



Crl. O.P. No.5821 of 2025

WEB COPY

6. Considering the nature of allegations against the petitioner, period of incarceration and since further custody of the petitioner is not required for the purpose of investigation, 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 learned **Sessions Judge, Principal Special Court for exclusive trial of cases under POCSO Act, Coimbatore** 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 appear before the respondent Police every day 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



Crl. O.P. No.5821 of 2025

WEB COPY

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.

05.03.2025

mjs

To

1. The Sessions Judge,
Principal Special Court for exclusive trial of
cases under POCSO Act, Coimbatore.
2. The Inspector of Police,
All Women Police Station,
West, Coimbatore.
- 3 The Superintendent of Police, Central Prison, Coimbatore.
4. The Public Prosecutor, High Court of Madras.



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Crl. O.P. No.5821 of 2025

SUNDER MOHAN., J.

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Crl.O.P.No.5821 of 2025

05.03.2025