



Cr1.O.P.No.5835 of 2025

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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 04.03.2025

CORAM

**THE HON'BLE MR. JUSTICE SUNDER MOHAN**

Cr1.O.P.No.5835 of 2025

Manikandan

... Petitioner

Vs.

State Rep. by

The Inspector of Police

Koyambedu All Women Police Station

Chennai. (Crime No.02 of 2025)

... Respondent

**PRAYER:** Criminal Original Petition filed under Section 483 of BNSS, to enlarge the petitioner on bail in Crime No.02 of 2025 on the file of the respondent.

For Petitioner : Mr.V.Sudhakar

For Respondent : Mr.Leonard Arul Joseph Selvam

Learned Government Advocate (Criminal Side)

**ORDER**

This Criminal Original Petition has been filed by the petitioner, who was arrested and remanded to judicial custody on 24.01.2025, seeking bail in Crime No.02 of 2025 registered for the offence under Section 9(n), 10 and 17 of POCSO Act and 351(2) of BNS.

2.The case of the prosecution is that petitioner committed sexual assault on the victim girl; that he tied Thali on the victim girl and threatened her with dire consequences if she disclosed the said fact to any other person.

3.Learned counsel appearing for the petitioner submitted that the petitioner is an innocent person and he has been falsely implicated in this case;



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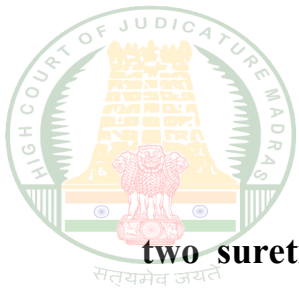
that the petitioner is in custody from 24.01.2025; and that he is ready to abide by any stringent conditions that may be imposed by this Court. Hence, he prayed for grant of bail to the petitioner.

4.Learned Government Advocate (Crl. Side) appearing for the respondent police, while opposing for grant of bail to the petitioner, reiterated the prosecution case. The learned Government Advocate further submitted that the petitioner had tied Thali on the victim girl and also touched her inappropriately and thus committed the offence. He also produced the statement of the victim girl recorded under Section 183 of BNSS.

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 including the statement of the victim girl recorded under Section 183 of BNSS.

6.Considering the nature of allegations, period of incarceration undergone by the petitioner, the statement of the victim girl recorded under Section 183 of BNSS and since further custody is not required for the purpose of interrogation, 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



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**two sureties**, each for a like sum to the satisfaction of the Special Court for exclusive trial of cases under POCSO Act at Chennai, 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 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 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 of B.N.S.

**04.03.2025**

*sai*



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To



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**SUNDER MOHAN, J.**  
*sai*

- 1.The Special Court for exclusive trial of cases under POCSO Act at Chennai
- 2.The Inspector of Police  
Koyambedu All Women Police Station  
Chennai.
- 3.The Superintendent,  
Central Prison, Puzhal, Chennai.
- 4.The Public Prosecutor,  
High Court of Madras.

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