



Crl. O.P. No.6796 of 2025

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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 12.03.2025

CORAM

THE HON'BLE MR. JUSTICE SUNDER MOHAN

Crl. O.P. No.6796 of 2025

Iyyanar S/o. Mugunthan

... Petitioner / Accused

Vs.

The State represented by:

The Inspector of Police,
Thirukkanur Police Station,
Puducherry.

(Crime No.22 of 2025).

... Respondent

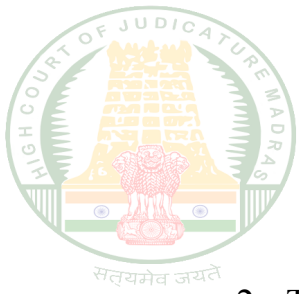
PRAYER: Criminal Original Petition filed under Section 483 of BNSS, pleaded to enlarge the petitioner on bail, in connection with the Crime No.22 of 2025, pending investigation on the file of the respondent Police.

For Petitioner : Mr. A. Murugavel

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 22.02.2025, seeking bail in Crime No.22 of 2025 registered for the offences under Section 12 of POCSO Act.



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2. The case of the prosecution is that the petitioner was a Physical Education teacher in a School, in which, the victim was studying XII Standard; that during the month of September 2023, the petitioner had sent his nude picture to the defacto complainant and also asked for the nude picture of the victim; that thereafter, the defacto complainant severed her relationship with the petitioner; that then on 15.02.2025, the petitioner called the defacto complainant and abused her stating that she is going around with another boy and reprimanded her.

3. The learned counsel appearing for the petitioner submitted that the allegations against the petitioner are false; that even according to the defacto complainant, the alleged occurrence took place in the year 2023 and that merely because, he has scolded the defacto complainant stating that she had love affair with another boy, the instant complaint has been falsely lodged against the petitioner; that in any case, considering the period of incarceration, further custody of the petitioner is not required, prayed for grant of bail.

4. Learned Government Advocate (Crl.Side) appearing for the respondent police, reiterated the prosecution case and produced the copy of the 183 B.N.S.S. statement of the victim and the FIR.



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5. This Court perused the statement of the victim recorded under Section 183 of B.N.S.S. and the FIR. It reveals that the alleged occurrence of sending nude pictures of the petitioner and his request for nude picture of the victim, took place in the year 2023. The FIR was lodged after the petitioner scolded the victim over phone. Considering the nature of allegations against the petitioner and 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 **Fast Track Court to deal with offences under the POCSO Act, Puducherry** 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;



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[b] the petitioner shall appear before the respondent Police twice a week i.e., on Monday 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.

12.03.2025

mjs

To

1. The Fast Track Court to deal with offences under the POCSO Act, Puducherry.
2. The Inspector of Police, Thirukkanur Police Station, Puducherry.
- 3 The Central Prison, Kalapet, Puducherry.
4. The Public Prosecutor, High Court of Madras.



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SUNDER MOHAN., J.

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