



WEB COPY



Crl.O.P.No.7752 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 17.03.2025

CORAM

THE HONOURABLE MR.JUSTICE SUNDER MOHAN

Crl.O.P.No.7752 of 2025

Ramar

...Petitioner/Accused

Vs.

State rep by
The Inspector of Police,
All Women Police Station,
Tiruppur District.

(Crime No.19 of 2024)

... Respondent

PRAYER: This criminal original petition has been filed under Section 483 of BNSS to enlarge the petitioner on bail in Crime No.19 of 2024 on the file of the respondent police.

For Petitioner : Mr.R.Prabakar

For Respondent : Mr.Leonard Arul Joseph Selvam
Government Advocate (Crl. Side)



Crl.O.P.No.7752 of 2025

WEB COPY

ORDER

This Criminal Original Petition has been filed by the petitioner, who was arrested and remanded to judicial custody on 11.12.2024, seeking bail in Crime No.19 of 2024 registered for the offence under Section 3(b) r/w 4 of POCSO Act, 2012.

2.It is the case of the prosecution that the petitioner and the victim girl aged about 17 years are closely related to each other; that the petitioner is said to have touched the breast of the victim girl inappropriately and that thereafter on 28.05.2024, once again the petitioner had touched her private part inappropriately; that the victim thereafter told her mother and her uncle and pursuant to which, there was quarrel in the family; that the victim unable to bear the humiliation suffered by her and since her mother did not give a complaint, she consumed few sleeping tablets and attempted to commit suicide and that when the victim was examined at the hospital by the police, she had disclosed the aforesaid occurrences.



WEB COPY

3.The learned counsel for the petitioner would submit that the allegations are false; that there was a property dispute between the petitioner and the victim's parents and that though the alleged incident took place in May 2024, the complaint was lodged only on 11.12.2024 and it is highly on improbable that if the victim had informed her mother about the occurrence she would have kept quiet and in any case, considering the period of incarceration sought for bail.

4.Per contra, the learned Government Advocate (Crl. Side) reiterated the prosecution case and produced a copy of the statement of the victim recorded under Section 164 of Cr.P.C.

5.The statement of the victim suggests that the petitioner and the victim are closely related to each other. The petitioner is said to have inappropriately touched the breast of the victim girl and also her private part. Though it is stated by the victim that she informed the said facts to her mother, the complaint was lodged only after the victim was admitted in the hospital for consuming few sleeping tablets. It is also seen that the final report has also been filed.



WEB COPY

6.Considering the aforesaid facts, 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 **learned Sessions Judge, Mahalir Neethimandram (FTMC), Tiruppur**, 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 Salem and report before the Salem Town Police Station everyday at 10.30 a.m., until further orders.

[c] the petitioner shall not abscond either during investigation or trial;



Crl.O.P.No.7752 of 2025

[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.

17.03.2025

ata

Copy to:

- 1.The Inspector of Police,
All Women Police Station,
Tiruppur District.
- 2.The Mahalir Neethimandram (FTMC), Tiruppur.
- 3.Central Prison, Coimbatore.
- 4.The Public Prosecutor, High Court, Madras.



WEB COPY



CrI.O.P.No.7752 of 2025

SUNDER MOHAN, J.

ata

CrI.O.P.No.7752 of 2025

17.03.2025