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Cr1.O.P.No.8593 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 24.03.2025

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THE HON'BLE MR. JUSTICE SUNDER MOHAN

Cr1.O.P.No.8593 of 2025

Yokesh @ Yohesh

... Petitioner

Vs.

State Rep. by, the Inspector of Police

All Women Police Station Palladam

Tiruppur District. (Crime No.3 of 2025)

... Respondent

PRAYER: Criminal Original Petition filed under Section 483 of BNSS, to enlarge the petitioner on bail in Crime No.3 of 2025 on the file of the respondent.

For Petitioner : Mr.D.Nandhagopal

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

ORDER

This Criminal Original Petition has been filed by the petitioner, who was arrested and remanded to judicial custody on 29.01.2025, seeking bail in Crime No.3 of 2025 registered for the offence under Section 5(1) r/w. Section 6 of POCSO Act.

2.The case of the prosecution is that the petitioner and the victim girl were in a consensual relationship and they were caught red handed by the de facto complainant's father.

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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He also submitted that the petitioner is in custody from 29.01.2025 and he is ready to abide by any stringent condition 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.

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.

6.Admittedly it is a case of love affair. The petitioner and the victim girl were caught red handed by the Father of the de facto complainant, while they were kissing each other. Subsequently, the victim girl attempted to commit suicide and at the hospital it was found that she had a consensual relationship with the petitioner.

7.Considering the nature of allegations, period of incarceration 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.

8.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,



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Mahalir Neethimandram (FTMC), Tiruppur, and on further conditions 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, on every Saturday at 10.30 a.m., and the petitioner shall stay at Trichy and report before the Inspector of Police, Trichy Cantonment Police Station on the other days 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.

24.03.2025

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SUNDER MOHAN, J.
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To

1.The Sessions Judge,
Mahalir Neethimandram (FTMC), Tiruppur

2.The Inspector of Police
All Women Police Station Palladam, Tiruppur District.

3.The Inspector of Police
Trichy Cantonment Police Station, Trichy.

4.The Superintendent,
Central Prison, Coimbatore.

5.The Public Prosecutor,
High Court of Madras.

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