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Cr1.O.P.No.8578 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.8578 of 2025

Thangivel

... Petitioner

Vs.

State Rep. by

The Inspector of Police

W-15, AWPS Royapuram Police Station

Chennai.

... Respondent

PRAYER: Criminal Original Petition filed under Section 483 of BNSS, to enlarge the petitioner on bail in Crime No.04 of 2025 on the file of the respondent.

For Petitioner : Mr.C.Jagan

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 08.02.2025, seeking bail in Crime No.04 of 2025 registered for the offence under Section 12 r/w.11(4) of POCSO Act.

2.The case of the prosecution is that the petitioner misbehaved with the daughter of the de facto complainant.

3.Learned counsel appearing for the petitioner submitted that the



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petitioner is an innocent person and he has been falsely implicated in this case.

He also submitted that the petitioner is in custody from 08.02.2025 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. He also submitted that there are no previous cases against the petitioner.

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.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. It is needless to say if the petitioner indulges in similar activities, it is open to the de facto complainant to move for cancellation of bail.

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, Special Court for exclusive trial of cases under the POCSO Act, Chennai 104 ,



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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 stay at Vellore and report before the Inspector of Police, Vellore North Police Station, 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.

24.03.2025

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SUNDER MOHAN, J.
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To

1.The Sessions Judge,
Special Court for exclusive trial of cases under the POCSO Act,
Chennai 104

2.The Inspector of Police
W-15, AWPS Royapuram Police Station
Chennai.

3.The Superintendent,
Central Prison,
Puzhal 2.

4.The Public Prosecutor,
High Court of Madras.

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