



Crl.O.P.No.10176 of 2025

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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 25.07.2025

CORAM

THE HONOURABLE MR. JUSTICE M.NIRMAL KUMAR

Crl.O.P.No.10176 of 2025

Pankaj Kumar Singh

... Petitioner/Accused

Vs.

State by
The Inspector of Police,
Grand Bazaar Police Station,
Puducherry.
(Cr.No.210 of 2024)

... Respondent

PRAYER : Criminal Original Petition filed under Section 483 of Bharatiya Nagarik Suraksha Sanhita, 2023, to enlarge the Petitioner on bail pending investigation in Cr.No.210 of 2024 on the file of the Inspector of Police,Grand Bazaar Police Station,Puducherry..

For Petitioner : Mr.T.R.Ravi

For Respondent : Mr.M.V.Ramachandra Moorthi
Additional Public Prosecutor
(Puducherry)



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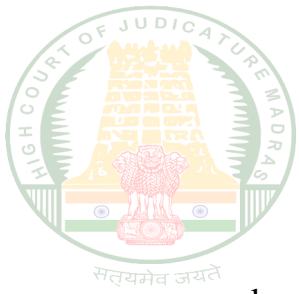
ORDER

The petitioner, who was arrested and remanded to judicial custody on 04.11.2024, for the offences punishable under Section 137(2) BNS and altered into 137(2), 96 of BNS and under Section 6 of POCSO Act in connection with Crime No.210 of 2024, registered on the file of the respondent, seeks bail.

2. The case of the prosecution, on the complaint given by one Ajita Rajib Ghose, is that her minor daughter, aged about 16 years was affected with personal disorder and was found missing. During the course of investigation, it came to light that the petitioner/accused along with others had committed aggravated sexual assault on the victim girl.

3. Learned counsel appearing for the petitioner submitted that the petitioner is an innocent person and he has not committed any such offence as alleged by the prosecution. The petitioner is in judicial custody from 04.11.2024. He further submitted that the petitioner 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 (Criminal Side) appearing for the

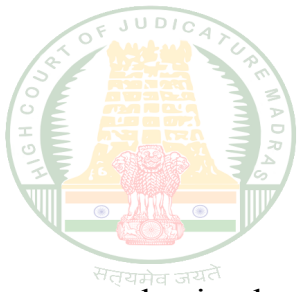


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respondent police reiterated the prosecution case and submitted that the statement of the victim girl under Section 183 of BNSS was recorded and the investigation was completed. Hence, he opposed for granting bail to the petitioner.

5. Heard both sides and perused the materials available on record including the statement of the victim girl under Section 183 of BNSS .

6. A perusal of the statement of the victim girl under Section 183 of BNSS reveals that the victim is having habit of smoking, calabies, poppies, and taking MDMA injunction and sniffing and had taken drugs in all forms. She had also taken treatment for de-addiction and the de-addiction report confirms her drugs habit due to which, she got attracted to the persons who are using intoxicated substances and likewise and she had voluntarily gone along with them and by using the drugs and for the addiction of drugs she had been exploited physically by the petitioner and others . The victim's father seems to be affected with schizophrenia. In view of the same, a statement cannot be taken on the face value. Now investigation completed and charge sheet filed and the same has been taken on file in Spl.SC.No.5 of 2025. The petitioner is hailing from the State of Uttar Pradesh and he needs to engage an Advocate of his choice and he is also



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having language issues to communicate with the Advocate.

7. In view of the same and the period of incarceration undergone by the petitioner, 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.10,000/- (Rupees Ten Thousand only)** with **two sureties**, each for a like sum to the satisfaction of the learned **Sessions Court, FTC, POCSO Act, Puduchery**, and on further conditions that:

[a] the sureties shall affix their photographs and Left Thumb Impression in the Application for Surety ship [Judicial Form No.46 annexed to 'The Criminal Rules of Practice, 2019']. The learned Magistrate shall obtain a copy of any one of the identity proofs to ensure their identity;

[b] *the petitioner shall appear before the trial Court on all working days at 10.30 a.m., and on week ends i.e., on every Saturday and Sunday shall appear before the respondent police at 10.30 a.m., until further orders;*

[c] the petitioner shall make himself available for interrogation by a Police Officer as and when required;



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[d] the petitioner shall not directly or indirectly cause any threat to the de-facto complainant and witnesses;

[e] the petitioner to give an undertaking that if required for being identified by witnesses during investigation or for police custody beyond the first fifteen days, he shall comply to the directions as may be given by the Court in this regard;

[f] On breach of any of the aforementioned conditions, the learned Magistrate/Trial Court is entitled to pass appropriate orders against the petitioner in accordance with law as if the aforementioned 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)13 SCC 283]**;

[g] If the accused thereafter absconds, a fresh FIR can be registered under Section 269 of B.N.S.

25.07.2025

Vv

Note :

1. Registry is directed to forthwith upload this order in the Official Website of this Court.
2. All concerned to act on this order being uploaded in

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Official Website of this Court without insisting on certified hard copies. To be noted, this order when uploaded in the official website of this Court will be watermarked and will also have a QR code.

To

- 1.The Sessions Court, FTC, POCSO Act, Puduchery
- 2.The Inspector of Police,
Grand Bazaar Police Station,
Puducherry.
- 3.The Prison, Puducherry.
- 4.The Public Prosecutor,
High Court of Madras.



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M.NIRMAL KUMAR, J.

Vv

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