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Crl.O.P.No.9949 of 2



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 03.04.2025

CORAM

THE HONOURABLE MR.JUSTICE SUNDER MOHAN

Crl.O.P.No.9949 of 2025

Govindaraj

...Petitioner/Accused

Vs.

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

(Crime No.5 of 2025)

... Respondent

PRAYER: This criminal original petition has been filed under Section 483 of BNSS to enlarge the petitioner on bail in Crime No.5 of 2025 pending on the file of the respondent.

For Petitioner : Mr.M.Vijayaragavan

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 08.02.2025, seeking bail



in Crime No.5 of 2025 registered for the offence under Sections 7 r/w 8 of Protection of Children from Sexual Offences Act, 2012.

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2. The case of the prosecution is that the petitioner is the friend of victim's father; that on the date of occurrence, the petitioner had touched the breast of the victim girl aged about 14 years inappropriately. Hence the case.

3.The learned counsel for the petitioner would submit that the allegations are false and in any case, considering the period of incarceration and the fact that the final report has been filed, he may be released on bail.

4.Per contra, the learned Government Advocate (Crl. Side) reiterated the prosecution case and opposed for grant of bail to the petitioner and submitted a copy of Section 183 BNSS statement.

5. The perusal of Section 183 BNSS statement would suggest that the petitioner had inappropriately touched the victim girl's breast. The petitioner is in custody from 08.02.2025. Considering the nature of



allegation and the period of incarceration and the fact that the final report has been filed, 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:

6. 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 **Sessions Judge, Mahalir Neethimandram (FTMC), Tiruppur (FAC)** 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 report before the respondent police 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;



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[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.

03.04.2025

rkp
Copy to:

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



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SUNDER MOHAN, J.

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