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Crl.O.P.No.11957 of 2



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 28.04.2025

CORAM

THE HONOURABLE MR.JUSTICE SUNDER MOHAN

Crl.O.P.No.11957 of 2025

Naveen

...Petitioner/Accused 4

Vs.

State rep by
The Inspector of Police,
All Women Police Station,
J-4, Kotturpuram,
Chennai.

(Crime No.2 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.2 of 2025 pending investigation on the file of the respondent police.

For Petitioner : Mr.V.Sivalingam

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 16.01.2025, seeking bail



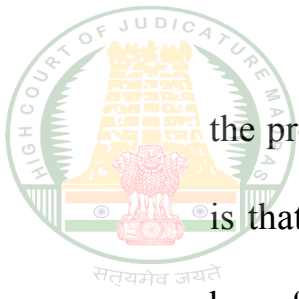
in Crime No.2 of 2025 registered for the offence under Sections 5(l),(m),(u) r/w 6, 11(1) r/w 14(1),(2) of POCSO Act and Section 67(B)(b)(e) of IT Act.

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2.It is the case of the prosecution that A1 and A2 are husband and wife; that the petitioner/A4 is known to A2 and had illegal intimacy with her; that A3 had taken inappropriate pictures and videos of A1 in a compromising position with the victims, who are the children of A1 and A2 and also other obscene videos of other children in the neighborhood and handed over it to A3 for commercial gain; that the petitioner is said to have introduced A3 to A1 and A2. Hence, the case.

3.The learned counsel for the petitioner would submit that the allegation against the petitioner is false and he had not participated in the alleged taking of videos and also selling it to A3 for commercial purposes and that in any case, considering the period of incarceration, he may be released on bail. He would further submit that the charge sheet has been filed.

4.Per contra, the learned Government Advocate (Crl. Side) reiterated



the prosecution case and confirmed that the role attributed to this petitioner is that he had introduced A3 to other accused and that the final report has been filed.

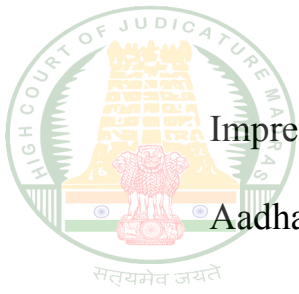
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5.Heard the learned counsel on either side and perused the materials available on record.

6.Considering the aforesaid facts, the nature of allegations against this petitioner, the fact that the final report has been filed, this Court is of the view that further custody is not required. 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 Special Judge for POCSO Court, Chennai**, 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 the

Aadhar card or Bank pass Book to ensure their identity;

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[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;

[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.

28.04.2025

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Copy to:



1.The Inspector of Police,
All Women Police Station,
J-4, Kotturpuram,
Chennai.

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2.The Special Judge, POCSO Court, Chennai.

3.The Superintendent of Prison, Central Prison, Puzhal, Chennai.

4.The Public Prosecutor, High Court, Madras.

SUNDER MOHAN, J.



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