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CRL O.P. No.13018 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

Dated : 28.04.2025

CORAM:

THE HON'BLE MR.JUSTICE SUNDER MOHAN

CRL O.P. No.13018 of 2025

Jabeen S/o. Selvaraj

... Petitioner / Accused-1

Vs

State rep. by:-

The Inspector of Police,
Bazaar Police Station,
Coimbatore City.

... Respondent

[Cr. No.74 of 2025]

PRAYER: - Criminal Original Petition filed under Section 483 of BNSS,

pleased to enlarge the petitioner on bail, in connection with the Crime

No.74 of 2025, pending investigation on the file of the respondent

Police.

For Petitioner : Mr.V. Muthu Pandi

For Respondent : Mr. Leonard Arul Joseph Selvam,
Government Advocate
[Criminal side]

ORDER



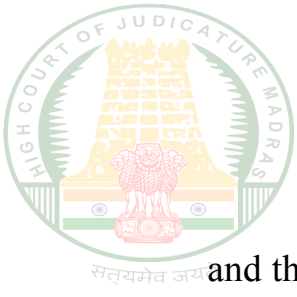
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This Criminal Original Petition has been filed by the petitioner/accused, who was arrested and remanded to judicial custody on 17.02.2025, seeking bail in Crime No.74 of 2025 registered for the offences under Section 'Girl Missing' @ Sections 3(b), 5(g), 6, 9(g), 10 and 4(1) of POCSO Act, 2012 and Sections 96 and 127(2) of B.N.S.

2. The case of the prosecution is that the victim girl and the first accused were known to each other; that the first accused took the victim girl to his room, where the co-accused were staying; that they removed the dress of the victim girl and inappropriately touched her hip and breast; that when the victim girl protested, one of the accused dropped her in the public place in the morning at 2.45 a.m. and the victim girl was secured on the complaint given by the mother of the victim girl and thus, committed the aforesaid offences. Hence the case.

3. The learned counsel appearing for the petitioner submitted that the allegations against the petitioner are false; that false complaint has been lodged against him; that some of the co-accused were granted bail;



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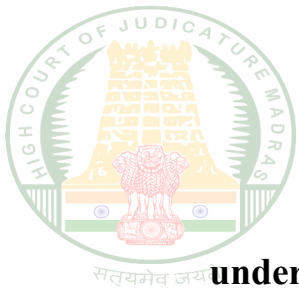
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and that in any case, considering the period of incarceration and nature of allegations, further custody of the petitioner is not required and hence prayed for grant of bail.

4. Learned Government Advocate (Crl.Side) appearing for the respondent police, reiterated the prosecution case and submitted that the co-accused were released on bail.

5. Considering the aforesaid facts, nature of allegations against the petitioner, the statement of the victim was recorded, some of the co-accused were already released on bail and considering the period of incarceration, this Court is of the view that further custody of the petitioner is not required. 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 learned **Principal Special Court for Exclusive trial of cases**



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under POCSO Act, Coimbatore 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 appear before the respondent police on every day 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***



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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

mjs

To

1. The Principal Special Court for Exclusive trial of cases under POCSO Act, Coimbatore.
2. The Inspector of Police, Bazaar Police Station, Coimbatore city, Coimbatore District.
3. The Superintendent of Police, Central Prison, Coimbatore.
4. The Public Prosecutor, High Court of Madras.



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SUNDER MOHAN., J.

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