



Crl.O.P.No.11706 of 2025

WEB COPY

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 21.04.2025

CORAM

THE HON'BLE MR. JUSTICE SUNDER MOHAN

Crl.O.P.No.11706 of 2025

Nisanth S/o. Kattan

... Petitioner

Vs.

The State represented by:

The Inspector of Police,
Vadapandal Police Station,
Ranipet.

(Crime No.129 of 2024).

... Respondent

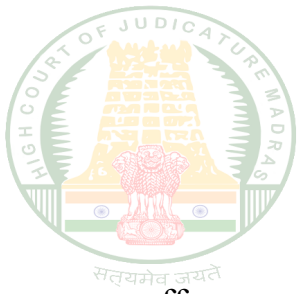
PRAYER: Criminal Original Petition filed under Section 483 of BNSS, pleaded to enlarge the petitioner on bail, in connection with the Crime No.129 of 2024, pending investigation on the file of the respondent Police.

For Petitioner : Mr.R. Parthiban

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 01.03.2025, seeking bail in Spl. S.C. No.57 of 2024 pending trial on the file of the learned Principal Sessions Judge, Ranipet, in connection with Crime No.129 of 2024 registered for the



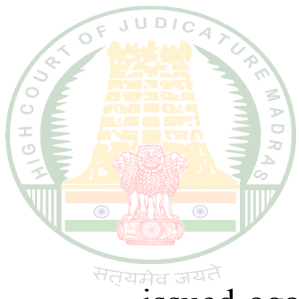
Crl.O.P.No.11706 of 2025

offence punishable under Sections 363, 366, 376(2)(n) of IPC and Section 9 of Child Marriage Act and Section 7, 5(1), 8 and 6(1) of POCSO Act, 2012.

2. The petitioner is facing prosecution for the offences under Sections 363, 366, 376(2)(n) of IPC and Section 9 of Child Marriage Act and Section 7, 5(1), 8 and 6(1) of POCSO Act, 2012 in Spl. S.C. No.57 of 2024 pending trial on the file of the learned Principal Sessions Judge, Ranipet. The petitioner, for his non-appearance, was arrested by the respondent police on execution of non-bailable warrant on 01.03.2025.

3. Learned counsel appearing for the petitioner submitted that, this is a case of love affair; that due to his ill-health and mis-communication, the petitioner was not able to appear before the Court; and that the petitioner's non appearance is neither wilful nor wanton. He further submitted that, in any case, petitioner is in custody from 01.03.2025 and he is ready to abide by any stringent conditions 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, submitted that the petitioner did not appear before the trial Court regularly and hence NBW was



CrI.O.P.No.11706 of 2025

issued against him on 19.02.2025 and he was arrested on execution of NBW on 01.03.2025; and hence, if he is let out on bail, he would abscond.

5.Considering the period of incarceration, nature of allegations against the petitioner, the fact that this is a case of love affair and since further custody is not required for the purpose of investigation, 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 Sessions Judge, Ranipet**, 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 trial Court on all working days 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;



WEB COPY



CrI.O.P.No.11706 of 2025

[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.

21.04.2025

mjs

To

1. The Principal Sessions Judge, Ranipet.
2. The Inspector of Police,
Vadapandal Police Station,
Ranipet.
3. The Superintendent,
Central Prison, Vellore.
4. The Public Prosecutor,
High Court of Madras.



WEB COPY



CrI.O.P.No.11706 of 2025

SUNDER MOHAN., J.

mjs

CrI.O.P.No.11706 of 2025

21.04.2025