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Crl.OP.No.12332 of 2025

**IN THE HIGH COURT OF JUDICATURE AT MADRAS**

**DATED : 23.04.2025**

**CORAM**

**THE HONOURABLE MR.JUSTICE SUNDER MOHAN**

**Crl.OP.No.12332 of 2025**

Madhuraj

... Petitioner(s) /Accused

Vs.

State of Tamil Nadu,  
Rep. by Inspector of Police,  
All Women Police Station,  
Thiruthuraipoondi,  
Tiruvarur District.  
Crime No.4 of 2025

... Respondent(s)/ Complainant

**Prayer:** Criminal Original Petition filed under Section 483 of BNSS 2023,  
to enlarge the petitioner on bail in Crime No.4 of 2025, on the file of the  
Inspector of Police, All Women Police Station, Thiruthuraipoondi,  
Tiruvarur District.

For petitioner(s) : Mr.N.Palanivel

For Respondent(s) : Mr.Leonard Arul Joseph Selvam  
Government Advocate (Crl.Side)



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### **ORDER**

This Criminal Original Petition has been filed by the petitioner, who was arrested and remanded to judicial custody on 31.03.2025, seeking bail in Crime No.4 of 2025, registered for the offences under Sections 126(2), 115(2), 351(3) of BNS Act (339, 323 and 506(ii) of IPC) and under Section 11(iv) r/w Section 12 of POCSO Act.

2. The case of the prosecution is that the petitioner is aged 19 years and the defacto complainant is aged 14 years; that the petitioner had sexually harassed the defacto complainant; and wrongfully restrained, assaulted and threatened her of dire consequences.

3. The learned counsel appearing for the petitioner submitted that the allegations are false; that no injuries were sustained by the defacto complainant; and that in any case, further custody of the petitioner is not required and prayed for the grant of bail to the petitioner.



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4. The learned Government Advocate (Crl. Side) appearing for the respondent police, while opposing the grant of bail to the petitioner, reiterated the prosecution case and, on instructions, submitted that there is one previous case against the petitioner and he is on bail in that case.

5. Considering the nature of allegations, the fact that the defacto complainant was treated as an out patient, and since further custody of the petitioner is not required, 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 Fast Track Mahila Court, Tiruvarur**, 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;



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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;

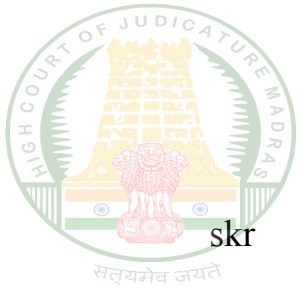
[d] the petitioner shall not tamper with evidence or witness either during investigation or trial;

[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.

**23.04.2025**

Index : Yes/No  
Speaking Order/Non Speaking Order  
Neutral Citation: Yes/No  
Internet: Yes/No



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To

1. Inspector of Police,  
All Women Police Station,  
Thiruthuraipoondi,  
Tiruvarur District.
2. The Public Prosecutor,  
Madras High Court,  
Chennai.
3. Fast Track Mahila Court, Tiruvarur
4. The Superintendent of Prison,  
District Prison, Nagapattinam.



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**SUNDER MOHAN, J.**

skr

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