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Crl.OP.No.12694 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 24.04.2025

CORAM

THE HONOURABLE MR.JUSTICE SUNDER MOHAN

Crl.OP.No.12694 of 2025

Vasikaran ... Petitioner(s) /Accused

Vs.

The State rep. by
Station House Officer,
Pallikonda Police Station,
Vellore District.
Crime No.40 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.40 of 2025 on the file of the
respondent police.

For petitioner(s) : Mr.G.Parandaman

For Respondent(s) : 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 14.03.2025, seeking bail



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in Crime No.40 of 2025, registered for the offences under Section 351(3) of BNS (Section 506 of IPC) r/w Sections 5(m) and 6 of the POCSO Act.

2. It is the case of the prosecution that the petitioner, aged 23 years, and the victim boy, aged 10 years are neighbours; that the petitioner had forced the victim boy to apply his mouth on the private part of the petitioner and thus, committed the aforesaid offences.

3. The learned counsel for the petitioner would submit that the allegations are false; that the petitioner has been implicated on account of previous enmity; that the petitioner was arrested on 14.03.2025; and considering the period of incarceration and the fact that the investigation has now been completed, he may be released on bail.

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 submitted that the investigation has been completed and the charge-sheet is ready; and has also produced the copy of



the Section 183 BNSS statement of the victim boy.

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5. This court had perused the Section 183 BNSS statement of the victim boy, which confirmed the prosecution case.

6. Considering the aforesaid facts, the nature of allegation, the period of incarceration, the fact that the investigation has been completed, 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.

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 Exclusive Trial of the case under POCSO-2012, Vellore, Vellore District**, 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 stay at Trichy and report before the Inspector of Police, Cantonment Police Station, Trichy, daily 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***



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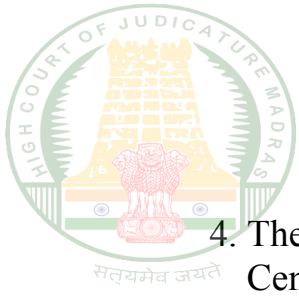
[f] If the accused thereafter absconds, a fresh
FIR can be registered under Section 269 B.N.S.

24.04.2025

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

1. Station House Officer,
Pallikonda Police Station,
Vellore District.
2. The Public Prosecutor,
Madras High Court,
Chennai.
3. Learned Special Judge for
Exclusive Trial of the case under POCSO-2012,
Vellore, Vellore District,



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4. The Superintendent of Prison,
Central Prison, Vellore.

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SUNDER MOHAN, J.

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