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CrI.O.P.No.12643 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 11.06.2025

CORAM

THE HONOURABLE MR.JUSTICE M.NIRMAL KUMAR

CrI.O.P.No.12643 of 2025

S.Kishore

... Petitioner

Vs.

State rep. by
The Inspector of Police,
AWPS – Thiruvannamalai Rural Police Station,
Thiruvannamalai District.
Crime No.14 of 2025.

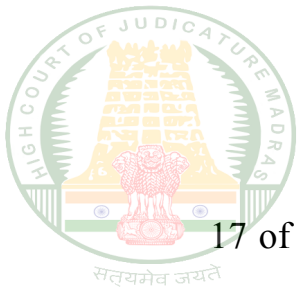
... Respondent

PRAYER: Criminal Original Petition is filed under Section 483 of BNSS, to enlarge the petitioner on bail in Crime No.14 of 2025 on the file of the Inspector of Police, AWPS-Thiruvannamalai Rural Police Station, Thiruvannamalai District.

For Petitioner	:	Mr.N.K.Arulmuruganandham
For Respondent	:	Mr.L.Baskaran, Government Advocate (CrI. Side)

ORDER

The petitioner, who was arrested and remanded to judicial custody on 27.02.2025, for the offences punishable under Sections 11(2), 12, 14(2) and



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17 of Protection of Child from Sexual Offences Act, 2012 and Section 67B of Information Technology Act, 2000 altered to Sections 77, 123, 308(3), 351(3) of BNS and Sections 3(a) r/w. 4(2), 17, 14(1), 14(2) of Protection of Child from Sexual Offences Act, 2012 and Section 67B of Information Technology Act, 2000 in connection with Crime No.14 of 2025, registered on the file of the respondent, seeks bail.

2.The contention of the learned counsel for the petitioner is that the petitioner came in contact with A1/Arunadevi through Instagram and he was regularly chatting with her. The petitioner resides at Chengalpattu and A1 resides at Thiruvannamalai. The petitioner had not met A1 before, he was only chatting with her and shared his mobile number with QR code to A1/Arunadevi to use the petitioner's whatsapp. A1/Arunadevi and A2/Palaniammal are daughter and mother. It is alleged that A1 intoxicated the first victim/minor girl with sedative and force the second victim/minor boy to lie on the first victim and they were in semi-nude pose which was recorded by A1 and the same was forwarded to the petitioner, who forwarded the same to the relatives of both the victims and extracted money.



He would submit that in this case A1 and A2 have already granted bail by the Lower Court. He further submitted that since the petitioner allowed A1 to use his whatsapp number, for that reason now he is in gallows. Hence, prayed for bail.

3.Learned Government Advocate (Criminal Side) appearing for the respondent police, while opposing for grant of bail to the petitioner, submitted that the petitioner and A1 are in love with each other and they were in constant touch. A1 administered sedative to the victim girl and used the victim boy for some objectionable postures which was recorded and money extracted. Both A1 and A2 had taken some jewels from the victims and also continuously threatening the victims to bring money and forwarded the videos to the relatives of the victims. He would submit that all the accused arrested, A1 and A2 have already granted bail by the Lower Court and it is a statutory bail. As regards this petitioner, he is from Chengalpattu and he shared his whatsapp number with A1.

4.Considering the submissions made by the learned counsels on either



side and the fact that co-accused/A1 and A2 were already granted bail by the

Lower Court, this Court is inclined to grant bail to the petitioner with certain conditions.

5. Accordingly, the petitioner is ordered to be released on bail on his executing a bond for a sum of Rs.10,000/- (Rupees Ten Thousand only) with two sureties, each for a like sum to the satisfaction of the learned Sessions Judge, Special Court for POCSO Cases at Thiruvannamalai and on further conditions that:

[a] the sureties shall affix their photographs and Left Thumb Impression in the Application for Suretyship [Judicial Form No.46 annexed to 'The Criminal Rules of Practice, 2019']. The learned Magistrate shall obtain a copy of any one of the identity proofs to ensure their identity;

[b] the petitioner shall report before the respondent police daily at 10.30 a.m., for a period of two weeks and thereafter, as and when required for interrogation;

[c] the petitioner shall make himself available for interrogation by a Police Officer as and when required;

[d] the petitioner shall not directly or indirectly cause any threat to the defacto complainant and



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witnesses;

[e] the petitioner to give an undertaking that if required for being identified by witnesses during investigation or for police custody beyond the first fifteen days, he shall comply to the directions as may be given by the Court in this regard;

[f] On breach of any of the aforementioned conditions, the learned Magistrate/Trial Court is entitled to pass appropriate orders against the petitioner in accordance with law as if the aforementioned 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)13 SCC 283];

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

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Speaking Order/Non Speaking Order

Index : Yes/No

Neutral Citation: Yes/No

cse

Issue order copy on 12.06.2025



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Note :

1. Registry is directed to forthwith upload this order in the Official Website of this Court.
2. All concerned to act on this order being uploaded in Official Website of this Court without insisting on certified hard copies. To be noted, this order when uploaded in the official website of this Court will be watermarked and will also have a QR code.



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To

- 1.The Sessions Judge,
Special Court for POCSO Cases
at Thiruvannamalai
- 2.The Central Prison,
Vellore.
- 3.The Inspector of Police,
AWPS – Thiruvannamalai Rural Police Station,
Thiruvannamalai District.
- 4.The Public Prosecutor,
Madras High Court.



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M.NIRMAL KUMAR, J.

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