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CRL O.P. No.13054 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.13054 of 2025

Madheswaran S/o. Ganapathi ... Petitioner / Accused

Vs

State rep. by:-

The Inspector of Police,
AWPS Ammapet Police Station,
Salem District. ... Respondent
[Cr. No.24 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.24 of 2025, pending investigation on the file of the respondent
Police.

For Petitioner : Mr. C. Deepakkumar

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 07.04.2025, seeking bail in Crime No.24 of 2025 registered for the offences under Sections 9(m) read with 10, 11(i), 11(iv) read with 12 of POCSO Act, 2012.

2. The case of the prosecution is that when the victim girl along with her friend was going to her school, the petitioner is said to have displayed his private part to them. Hence the case.

3. Learned counsel for the petitioner would contend that the allegations against the petitioner are false; that the petitioner is in judicial custody from 07.04.2025; and that since the statement of the victim was recorded, further custody of the petitioner is not required and prayed for grant of bail to the petitioner.

4. The learned Government Advocate (Criminal Side), on instructions, while opposing the grant of bail to the petitioner, reiterated



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the prosecution case and submitted the copy of the statement of the victim, which confirms the prosecution case.

5. Considering the aforesaid facts, nature of allegations, submissions made by the learned counsels on either side, the fact that the statement of the victim was recorded and since, further custody of the petitioner 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**, one of them should be a blood relative and another surety should be a local surety, each for a like sum to the satisfaction of the **learned Sessions Judge, Principal POCSO Court, Salem** 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 shall appear before the Trichy Cantonment Police Station 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.

28.04.2025

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SUNDER MOHAN. J.,

mjs

To

1. The Sessions Judge, Principal POCSO Court, Salem.
2. The Inspector of Police, AWPS Ammapet Police Station, Salem District.
3. The Superintendent of Police, Central Prison, Salem.
4. The Public Prosecutor, High Court of Madras.

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