



WEB COPY



Crl. O.P. No.14303 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 14.05.2025

CORAM:

THE HON'BLE MR. JUSTICE M.NIRMAL KUMAR

Crl.O.P.No.14303 of 2025

Velumani S/o. Illaiyaperumal

... Petitioner

Vs.

State Rep. by -

The Inspector of Police,
All Women Police Station.
Thirukoilur, Kallakurichi District.
(Crime No.17 of 2025).

... Respondent

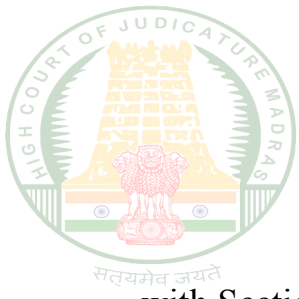
PRAYER : Criminal Original Petition filed under Section 483 of Bharatiya
Nagarik Suraksha Sanhita, 2023, pleased to enlarge the petitioner on bail, in
Crime No.17 of 2025, pending investigation on the file of the respondent Police.

For Petitioner : Mr. R. Raji

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

ORDER

Petition seeking bail in respect of Crime No.17 of 2025 registered for the
alleged offences punishable under Sections 7 and 8 of POCSO Act, 2012 read



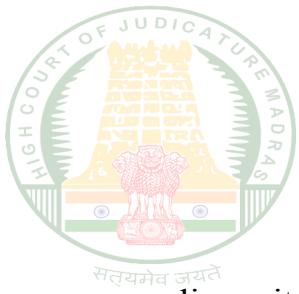
Crl. O.P. No.14303 of 2025

with Section 351 of B.N.S., is on board for consideration.

2. The petitioner is said to have taken the victim boy in his two wheeler to the forest area, under the guise of giving lift and committed sexual assault on the victim boy.

3. The contention of the learned counsel appearing for the petitioner is that the petitioner has been arrested on 04.03.2025 and false case has been foisted against the petitioner as the petitioner has some family dispute with the victim's family and even according to the statement of the victim, he was taken to forest area and there, for no reason, the petitioner had forced the victim to undress and thereafter, he assaulted the victim sexually and further, he had taken the victim in his two wheeler and dropped him in his village, which is improbable as the victim has not raised any alarm and once he reached his village, he informed the same to his parents and the petitioner has nothing to do with the alleged offence. He further submitted that the petitioner was arrested on 04.03.2025. He also submitted that the petitioner is ready to abide by any stringent condition 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



Crl. O.P. No.14303 of 2025

police reiterated the prosecution case and further submitted that the petitioner was arrested on 04.03.2025. Even 164 Cr.P.C. statement clearly shows the consequences of the happenings and since the petitioner had threatened the victim not to disclose the fact to anyone, he kept quiet and after reached his village, he had informed about the incident to his parents and hence complaint has been lodged. In the statement of the victim, he has not stated that there is dispute between the family of the victim and the petitioner. He further submitted that investigation was not completed and hence he opposed for granting bail to the petitioner.

5. Heard both sides and perused the materials available on record.

6. Considering the facts and circumstances of the case, the submission made by the learned counsel appearing on either side, nature of offences and the period of incarceration suffered by the petitioner, 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 her executing a bond for a sum of **Rs.10,000/- (Rupees Ten Thousand only)** with



Crl. O.P. No.14303 of 2025

two sureties, each for a like sum to the satisfaction of the learned **Judicial Magistrate No.I, Kallakurichi** and on further conditions that:

[a] the sureties shall affix their photographs and Left Thumb Impression in the Application for Surety ship [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, everyday at 10.30 a.m., for a period of two weeks and thereafter, as and when required for further interrogation;

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

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



Crl. O.P. No.14303 of 2025

WEB COPY

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.

14.05.2025

mjs

M.NIRMAL KUMAR, J.

mjs

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 official website of this Court will be watermarked and will also have a QR code.

To

1. The Judicial Magistrate No.I, Kallakurichi.
2. The Inspector of Police,
All Women Police Station.
Thirukoilur, Kallakurichi District.
3. The Superintendent,
Central Prison, Cuddalore.
4. The Public Prosecutor,
High Court of Madras.

Crl.O.P.No.14303 of 2025



WEB COPY



Crl. O.P. No.14303 of 2025

14.05.2025