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CrI.O.P.No.14407 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 21.05.2025

CORAM

THE HON'BLE MR. JUSTICE N.SENTHILKUMAR

CrI.O.P.No.14407 of 2025

Vasanth

... Petitioner/sole accused

Vs.

The State represented by,
The Inspector of Police,
All Women Police Station,
Perur, Coimbatore District
(Crime No. 10 of 2025).

... Respondent

PRAYER: Criminal Original Petition filed under Section 483 of B.N.S.S.,
2023 to enlarge the petitioner on bail in Crime No.10 of 2025 pending
investigation on the file of the respondent police.

For Petitioner : Mr.K.Balasubramaniam

For Respondent : M/s.V.J.Priyadarsana
Government Advocate (CrI.Side)



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ORDER

The petitioner/sole accused, who was arrested and remanded to judicial custody on 19.03.2025, for the alleged offences punishable under Section 5(1) r/w 6 of POCSO Act, 2012 and Sections 366, 449 and 342 of IPC, in Crime No.10 of 2025, on the file of the respondent police, seeks bail.

2. The case of the prosecution is that the petitioner and the victim girl, aged 16 years were in a love affair. The petitioner is alleged to have committed penetrative sexual assault on the minor victim girl and also threatened her with dire consequences. Hence, the case.

3. Learned counsel appearing for the petitioner submitted that the petitioner is an innocent person and he has been falsely implicated in this case. He would submit that the petitioner and the victim girl were in a love affair and had sexual intercourse with the consent of the victim girl. He would submit that the petitioner is ready to abide by any conditions that may be imposed by this Court. Hence, he prayed for grant of bail to the petitioner.



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4. Learned Government Advocate for the respondent submitted that the petitioner is alleged to have committed penetrative sexual assault on the minor victim girl, aged 16 years and also threatened her with dire consequences and he produced the statement of the minor victim girl recorded under Section 183 of BNSS. He further submitted that the charge sheet has been filed on 10.05.2025 before the POCSO Court, Coimbatore. Thereby, he opposed for grant of bail to the petitioner.

5. Heard both sides and perused the materials available on record including the First Information Report and the statement recorded under Section 183 of BNSS.

6. Considering the submissions of the learned counsels on either side and the period of incarceration undergone by the petitioner, and also taking into account the statement of the victim girl and that the charge sheet has been filed before the POCSO Court, Coimbatore, I am inclined to grant bail to the petitioner, subject to certain conditions.



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7. 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 **Principal Special Court for Exclusive Trial of Cases under POCSO Act, Coimbatore** 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;

[b] the petitioner shall report before the Principal Special Court for Exclusive Trial of Cases under POCSO Act, Coimbatore daily at 10.30 a.m till the completion of trial;

[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



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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.

21.05.2025

Anu

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 Principal Special Court for Exclusive Trial of Cases
under POCSO Act, Coimbatore

2. The Inspector of Police,
All Women Police Station,
Perur, Coimbatore District

3.The Superintendent,
Central Prison, Coimbatore

N.SENTHILKUMAR,J.



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4.The Public Prosecutor,
High Court of Madras.

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