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CrI.OP.No.14544 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 14.05.2025

CORAM

THE HONOURABLE MR.JUSTICE M.NIRMAL KUMAR

CrI.OP.No.14544 of 2025

Nandhakumar

... Petitioner

Vs.

State rep. by
The Station House Officer,
Thirunallar Police Station,
Karaikal District,
Puducherry.
Crime No.41/2025.

... Respondent

Prayer: Criminal Original Petition filed under Section 483 of BNSS 2023, to enlarge the petitioner on bail in Crime No.41 of 2025, on the file of the respondent police.

For petitioner : Mr.C.R.Gokulvisvas

For Respondent : Mr.A.V.Ramachandramurthy
Additional Public Prosecutor (Pondy)

ORDER

This Criminal Original Petition has been filed by the petitioner, who was arrested and remanded to judicial custody on 07.04.2025, seeking bail in



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Crime No.41 of 2025 registered for the offences under Sections 12 of
POCSO Act.

2.The case of the prosecution is that the petitioner followed the victim, a first year college student, thereby causing annoyance and disturbance to her at various places. Hence the victim's father lodged a complaint to the respondent police.

3. The learned counsel for the petitioner submitted that the petitioner has been falsely implicated in the present case. It is contended that due to the petitioner's involvement in certain previous cases, the respondent police in collusion with the victim's father, have foisted a false case alleging that the petitioner followed the victim and attempted to sexually assault her. He also submitted that the petitioner is willing to abide by any stringent conditions that may be imposed by this Court. Therefore, he prays for grant of bail to the petitioner.

4. The learned Government Advocate (Crl.Side) appearing for the respondent submitted that the petitioner is a history-sheeter, with 14 cases



registered against him. He has been regularly involved in one case or another. It is further submitted that if the petitioner/accused is released on bail, there is likelihood that he may threaten the victim girl, thereby hindering her pursuit of education. It is also alleged that he has been making inappropriate comments about the victim in the public place.

5.The learned counsel appearing for the petitioner undertakes that the petitioner will not enter Karaikal except for attending the Court hearing related to the present case. He further undertakes that the petitioner will keep away from the victim and her family members.

6. Heard the learned counsel for the petitioner and the learned Government Advocate (Crl.Side) and perused the materials available on record.

7. Considering the period of incarceration and also considering the undertaking given by the petitioner, this Court is inclined to grant bail to the petitioner with certain conditions.

8. 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 and **one surety must be a blood surety**, each for a like sum to the satisfaction of the **learned Special Judge for POCSO Act, Karaikal**, 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 Inspector of Police, Lawspet Police Station, Puducherry, everyday at 10.00 a.m., until further orders, except on dates where he requires before the trial Court;;

[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 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



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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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Index : Yes/No
Speaking Order/Non Speaking Order
Neutral Citation: Yes/No
Internet: Yes/No
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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 Special Judge for POCSO Act, Karaikal
- 2.The Inspector of Police, Lawspet Police Station, Puducherry.
- 3.The Superintendent,
Central Prison, Puducherry.
- 4.The Station House Officer,
Thirunallar Police Station,
Karaikal District, Puducherry.
- 5.The Public Prosecutor (Pondy),
Madras High Court, Chennai.

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