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Crl.O.P.No.15498 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED :21.05.2025

CORAM

THE HON'BLE MR. JUSTICE N.SENTHILKUMAR

CRL OP NO. 15498 of 2025

Mohammed Ameer

S/o. Moula, D.No.1/80, Thorapalli, Agraharam Village and Post, Hosur
Taluk, Krishnagiri District. ... Petitioner/Accused

Vs

The State Rep.by, The Inspector of Police,
All Women Police Station, Hosur.

... Respondent(s)

PRAYER: Criminal Original Petition filed under Section 483 of B.N.S.S.,
pleaded to enlarge the petitioner on bail, in Crime No.30 of 2025 on the file
of the respondent Police.

For Petitioner(s): Mr. K.Vasanthanayagan

For Respondent(s): Mr.V.J.Priyadarsana,
Government Advocate (crl.side)

ORDER

The petitioner, who was arrested and remanded to judicial custody
on 07.04.2025 for the alleged offence punishable under Sections 4 of Non
Act and Sections 5(1), 5(j)(ii) r/w 6(1) of POCSO Act 2012, in Crime No.30
of 2025, on the file of the respondent police, seeks bail.



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2. The case of the prosecution is that, on 12.03.2025, the victim was standing outside of the Thorapalli Town, where, the petitioner approached the victim and threatened her and took her along with him to his house and had sexual intercourse with her, which caused to her pregnancy. Hence, the complaint.

3. Learned counsel appearing for the petitioner submitted that the petitioner and the victim are having love affair with each other and the victim is about to attain age of majority on 30.05.2025 and in such circumstances, the de-facto complainant had lodged the present complaint. He would further submit that the petitioner was arrested and he is in judicial custody from 07.04.2025 and is ready to abide by any conditions that may be imposed by this Court. Hence, he prayed for grant of bail to the petitioners.

4. Learned Government Advocate (Crl.Side) appearing for the respondent police submitted that the petitioner has love affair with the victim, who is a minor. He further submitted that the victim was examined and she has given statement under Section 164 of Cr.P.C. Hence, he opposed for grant of bail to the petitioner.



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5. Heard both sides and perused the materials available on record including the First Information Report.

6. Considering the submissions of the learned counsel on either side and the period of incarceration undergone by the petitioner, and also considering all others factors, this Court is inclined to grant bail to the petitioner, subject to certain conditions.

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 **Sessions Judge, Fast Track Mahila Court, Krishnagiri** 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 concerned Magistrate/Judge on every Monday to Friday at 10.30.a.m., and further report before the respondent police on every Saturday and Sunday at



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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.

21.05.2025

mst

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.**



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To

- 1.The Sessions Judge, Fast Track Mahila Court,
Krishnagiri.
2. The Inspector of Police,
All Women Police Station,
Hosur.
- 3.The Superintendent,
District Prison, Dharmapuri.
- 4.The Public Prosecutor,
High Court of Madras.



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N.SENTHILKUMAR, J.

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