



Crl.O.P.No.16093 of 2025

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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 03.06.2025

CORAM

THE HONOURABLE MR. JUSTICE M.NIRMAL KUMAR

Crl.O.P.No.16093 of 2025

Arunkumar

... Petitioner

Vs.

State rep. by
The Inspector of Police,
Tiruppur South Police Station,
Tiruppur City.
Crime No.1171 of 2024.

... Respondent

PRAYER : Criminal Original Petition filed under Section 483 of Bharatiya Nagarik Suraksha Sanhita, 2023, to enlarge the Petitioner/Accused on bail in Crime No.1171 of 2024 pending on the file of the Respondent police.

For Petitioner : Mr.J.Franklin

For Respondent : Mr.L.Baskaran
Government Advocate (Crl.Side)

ORDER

The petitioner, who was arrested and remanded to judicial custody on 18.02.2025, for the offence punishable under Sections 87 (366 of I.P.C.), 127 (4) (344 of I.P.C) of BNS, 5 (1), 5 (n), 5 (j) (ii) r/w 6 of POCSO Act, 9 of PCM Act in connection with Crime No.1171 of 2024, registered on the file of the respondent, seeks bail.



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2. The contention of the learned counsel appearing for the petitioner is that the petitioner and the victim girl were in love with other, since the parents of the victim were against their relationship, she had forced the petitioner to take her away and that petitioner had took her to Dharmapuri and there, petitioner tied thali and involved in physical relationship, due to which, victim girl got pregnant, however, the parents of the victim has lodged a false complaint, as if the petitioner had committed penetrative sexual assault against the victim girl. He further submitted that the petitioner is suffering incarceration from 18.02.2025. He further 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 (Criminal Side) appearing for the respondent police, while opposing for grant of bail to the petitioner, reiterated the prosecution case.

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



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6. Considering the facts and circumstances of the case, submissions made by the learned counsels on either side, 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 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 **Judicial Magistrate No.II, Tiruppur**, and on further conditions that:

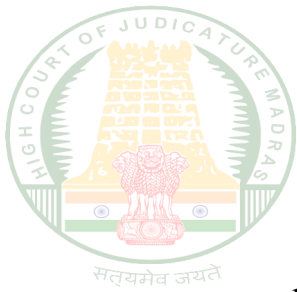
[a] the sureties shall affix their photographs and Left Thumb Impression in the Application for Surety ship [Judicial Form No.46 annexed to 'The Criminal Rules of Practice, 2019']. The learned Magistrate shall obtain a copy of any one of the identity proofs to ensure their identity;

[b] the petitioner shall report before the respondent Police daily at 10.30.a.m., for a period of two weeks and thereafter as and when required for interrogation;

[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



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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 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.

03.06.2025

sma

To

1. Judicial Magistrate No.II,
Tiruppur.
2. The Inspector of Police,
Tiruppur South Police Station,
Tiruppur City.
3. The Superintendent,
Central Prison, Coimbatore.
4. The Public Prosecutor,
High Court of Madras.

M.NIRMAL KUMAR, J.

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