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CRL OP No. 16789 of 2025



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 03-07-2025

CORAM

THE HONOURABLE MR JUSTICE M. NIRMAL KUMAR

CRL OP No. 16789 of 2025

1. DEEPAKARAN

Petitioner(s)

Vs

1. The State rep by Station House
Officer
All Women Police Station - Panruti,
Cuddalore District. Crime No.30 of
2025

Respondent(s)

PRAYER Criminal Original Petition filed under Section 483 of Bharatiya
Nagarik Suraksha Sanhita, 2023 to enlarge the petitioner on bail in connection
with the case in Crime No.30 of 2025 pending investigation on the file of the
Respondent police and thus render justice.

For Petitioner(s): Mr.D.Lakshmipathy

For Respondent(s): Mr.R.Vinoth Raja
Government Advocate (Crl.side)

**ORDER**

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The petitioner, who was arrested and remanded to judicial custody on 15.04.2025, for the offence punishable under Sections 126 and 351(2) of the BNS Act, 2023 r/w Section 4 of Tamilnadu Prohibition of Harassment of Women Act, 2002 r/w Section 3 and 4 of Protection of Child from Sexual Offences Act, 2012 in connection with Crime No.30 of 2025 registered on the file of the respondent, seeks bail.

2. The case of the prosecution is that the petitioner attempted to commit penetrative sexual assault against the minor victim girl, who is aged about 16 years. Hence, the case.

3. The learned counsel for petitioner submitted that the petitioner is an innocent person and he never committed any offence as alleged by the prosecution. He further submitted that a false case has been foisted against the petitioner due to family dispute and the petitioner is in incarceration from 15.04.2025. He further submitted that the petitioner is ready to abide by any stringent condition that may be imposed by this Court.



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4. Learned Government Advocate (Criminal Side) appearing for the respondent police, while opposing for grant of bail to the petitioner, reiterated the prosecution case and submitted that the investigation has been completed and also charge sheet filed, but not taken on file.

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

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 **Special Court for Exclusive Trial of Cases under POCSO Act, Cuddalore**, 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 trial Court at**



10.30 a.m, on all hearing dates without fail;

[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 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.

03-07-2025

gbi

Index: Yes/No

Speaking/Non-speaking order

Internet: Yes

Neutral Citation: Yes/No



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.



To
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1. The State rep by Station House Officer
All Women Police Station - Panruti,
Cuddalore District. Crime No.30 of
2025
2. The Special Court for Exclusive Trial
of Cases under POCSO Act, Cuddalore
3. The Superintendent,
Central Prison, Cuddalore.
4. The Public Prosecutor,
High Court, Madras.



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M.NIRMAL KUMAR J.

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