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CRL OP No. 16862 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. 16862 of 2025

MAHENDRAN

Petitioner(s)

Vs

1. State by Inspector of Police
AWPS Sathyamangalam Crime
No.7/2025Erode

Respondent(s)

PRAYER Criminal Original Petition filed under Section 483 of Bharatiya
Nagarik Suraksha Sanhita, 2023 to enlarge the petitioner on bail in Crime No. 7
of 2025 on the file of the respondent police and pass such further or toher orders
aas this Hon'ble Court may deem fit and proper in the circumstances of the case
and thus render justice.

For Petitioner(s): Mr.S. Parthasarathy

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



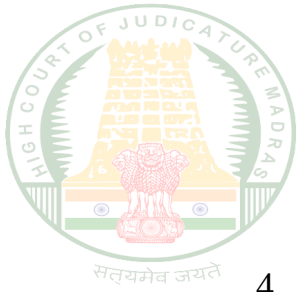
ORDER

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The petitioner, who was arrested and remanded to judicial custody on 21.03.2025, for the offence punishable under Sections 5(n), 5(l), 5(j)(ii), 6 of POCSO Act in connection with Crime No.7 of 2025 registered on the file of the respondent, seeks bail.

2.The case of the prosecution is that the petitioner had committed sexual assault on the minor victim girl, thereby the victim girl became pregnant. 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 also submitted that the petitioner is in no way connected with the alleged offence, however, he is suffering incarceration from 21.03.2025. 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.



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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 in this case has been completed and charge sheet filed.

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

6. Considering the submissions made by the learned counsels on either side and the fact that both the petitioner and de-facto complainant are major and it is a consensual relationship, further, investigation in this case completed and charge sheet filed, 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 Sessions



Judge, Magalir Neethi Mandram, Fast Track Mahila Court, Erode, and on

further conditions that:

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[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 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



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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.State by Inspector of Police
AWPS Sathyamangalam Crime
No.7/2025Erode

2. The Sessions Judge, Magalir
Neethi Mandram, Fast Track
Mahila Court, Erode
3. The District Jail,
Gobichettipalayam.
4. The Public prosecutor, High
Court of Madras.



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M.NIRMAL KUMAR J.

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