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CRL OP No. 17210 of 2025



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 16-06-2025

CORAM

THE HONOURABLE MR JUSTICE M. NIRMAL KUMAR

CRL OP No. 17210 of 2025

GUNAL

Petitioner

Vs

State represented by
The Inspector of Police
Arakkonam A.W.P.S.,
Cr.No.18 of 2025.

Respondent

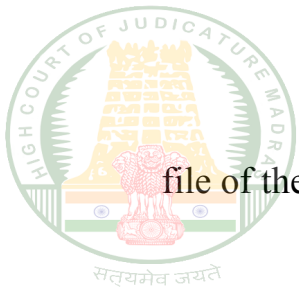
PRAYER Criminal Original Petition filed under Section 483 of Bharatiya Nagarik Suraksha Sanhita, 2023, to enlarge the petitioner on bail in Cr.No.18 of 2025 pending before the respondent police.

For Petitioner: M/s.R.Balasubramanian

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

ORDER

The petitioner, who was arrested and remanded to judicial custody on 05.05.2025, for the offences punishable under Sections 5(l), 5(j)(ii), 6 of POCSO Act, 2012 in connection with Crime No.18 of 2025, registered on the



file of the respondent, seeks bail.

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2. The case of the prosecution is that the petitioner had lover affairs with the minor victim girl and committed aggravated penetrative sexual assault for many times and made the minor victim pregnant. Hence, the case.

3. The contention of the petitioner is that the petitioner is innocent and has been falsely implicated in this case and there is no previous case against the petitioner. The learned counsel further submitted that the petitioner is suffering incarceration from 05.05.2025 and he 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 (Crl. Side) appearing for the respondent police reiterated the prosecution case and on instructions submitted that the case is under investigation, at this stage, if the petitioner is released on bail, there are every possibilities for tampering the witnesses and hampering the



investigation, thereby, he strongly opposed to grant bail to the petitioner.

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

6. Considering the facts and circumstances of the case, nature of allegations, submissions made by the learned counsels on either side, and the period of incarceration undergone by the petitioner, 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 Principal District Court, Ranipet** 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



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Police, on everyday at 10.30 a.m., for a period of two weeks;

[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.

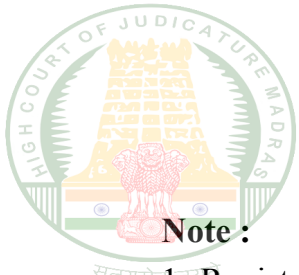
16-06-2025

Jai

Index: Yes/No

Speaking/Non-speaking order

Internet: Yes



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

1. The Inspector of Police
Arakkonam A.W.P.S.,
(Cr.No.18 of 2025).
2. The Superintendent
Central Prison Puzhal,
Chennai District.
3. The Principal District Court,
Ranipet.
4. The Public Prosecutor,
High Court of Madras.



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M.NIRMAL KUMAR J.

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