



Crl.O.P.No.17971 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 23.06.2025

CORAM

THE HONOURABLE MR.JUSTICE G.K.ILANTHIRAIYAN

Crl.O.P.No.17971 of 2025

Periyasamy @ Kumar

... Petitioner

Vs.

The Station House Officer,
Ulundurpet AWPS,
Kallakurichi

Crime No.23 of 2025

... Respondent

PRAYER : Criminal Original Petition filed under Section 483 of Bharatiya
Nagarik Suraksha Sanhita, 2023, to enlarge the petitioner on bail in Crime
No.23 of 2025 on the file of the respondent.

For Petitioner : Mr.B.Abdul Samath
For Respondent : Mr.A.Gokulakrishnan
Government Advocate
(Criminal Side)

ORDER

The petitioner, who was arrested and remanded to judicial custody on
09.05.2025, for the offence punishable under Section 115 (2) of BNS r/w 7,
8 of Protection of Children from Sexual Offences Act, in Crime No.23 of
2025, registered on the file of the respondent, seeks bail.



CrI.O.P.No.17971 of 2025

WEB COPY

2.The case of the prosecution is that the petitioner and the defacto-complainant's mother had illicit relationship. Therefore, the petitioner used to come to her house often. On 06.03.2025, at about 11.30 p.m. when the defacto-complainant was sleeping at her home, the petitioner had touched her private parts and had committed sexual assault on the defacto-complainant. Hence, the case.

3.The learned counsel appearing for the petitioner submitted that the petitioner is an innocent person and he has been falsely implicated in this case. The petitioner is in judicial custody from 09.05.2025 and hence, further custody of the petitioner is not required. 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.The learned Government Advocate (Criminal Side) appearing for the respondent police reiterated the prosecution case and opposed for grant of bail to the petitioner.

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



WEB COPY

6.Considering the facts and circumstances of the case, the 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 and Sessions Judge, Kallakurichi District**, 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 stay at **Gummudipoondi** and report before **Gummudipoondi Town Police Station** daily morning at **10.30 a.m.** and evening at **5.30 p.m.** for a period of **fifteen days**; thereafter appear before the respondent **Police** daily at **10.30 a.m** for a period of **fifteen days**; thereafter as and when required for interrogation;



WEB COPY



CrI.O.P.No.17971 of 2025

[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.

23.06.2025

ep



WEB COPY



CrI.O.P.No.17971 of 2025

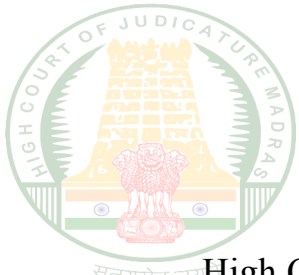
Note :

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 Principal and Sessions Judge,
Kallkurichi District.
- 2.The Station House Officer,
Ulundurpet AWPS,
Kallakurichi
- 3.The Central Prison,
Sub Jail, Ulundurpet,
Kallakurichi District.
- 4.The Public Prosecutor,

5/7



Crl.O.P.No.17971 of 2025

High Court of Madras.
WEB COPY

G.K.ILANTHIRAIYAN, J.

ep

Crl.O.P.No.17971 of 2025



WEB COPY



CrI.O.P.No.17971 of 2025

23.06.2025