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Crl.O.P.No.18577 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 01.07.2025

CORAM

THE HONOURABLE MR JUSTICE M.NIRMAL KUMAR

Crl.O.P.No.18577 of 2025

Nagaraj

... Petitioner

Vs

State By
The Inspector of Police,
AWPS – Ranipet Police Station,
Ranipet District.
(Crime No.16 of 2025)

... Respondent

Prayer: Criminal Original Petition filed under Section 483 of Bharatiya
Nagarik Suraksha Sanhita, 2023 praying to enlarge the petitioner on bail as
against the case pending on the file of the respondent police in Crime No.16
of 2025.

For petitioner : Mr.D.Thirumoorthy
For Respondent : Mr.R.Vinothraja
Government Advocate (Crl. Side)

ORDER

The petitioner, who was arrested and remanded to judicial custody on
30.04.2025, for the offences punishable under Sections 7 and 8 of



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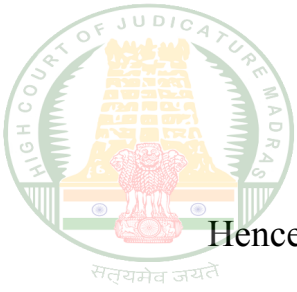
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Protection of Child from Sexual Offences Act, 2012 (POCSO Act) in connection with Crime No.16 of 2025, registered on the file of the respondent, seeks bail.

2.The case of the prosecution is that the petitioner aged about 67 years, attempted to misbehave with the victim girl and had bad touched her. Hence, the case.

3.The contention of the learned counsel for petitioner is that the petitioner is aged about 67 years. The petitioner and the victim family are neighbours and there is some dispute between them with regard to sharing of common area, due to which, a false complaint has been lodged against the petitioner. Hence, he prays to grant bail to the petitioner.

4.The learned Government Advocate (Crl. Side) appearing for the respondent police submitted that the petitioner and the victim are hail from the same village. The petitioner attempted to misbehave with the victim girl and made an intentional bad touch. He further submitted that the victim in her statement under Section 164 of Cr.P.C., confirmed the petitioner's act.



Hence, he strongly opposed for granting bail to the petitioner.

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

6.Considering the submission made on either side and on perusal of the materials, it is seen that there is some dispute between the petitioner and the victim family with regard to sharing of common area and the victim in her statement under Section 164 Cr.P.C. confirmed the petitioner's intentional bad touch. However, considering the period of incarceration and the age of 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 Special Judge for Exclusive trial of cases under POCSO Act, 2012, Ranipet (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



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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 appear before the respondent police daily at 10.30 a.m. until further orders;

[c] the petitioner shall make himself available for interrogation by respondent 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 during 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];



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[g] If the accused thereafter absconds, a fresh FIR
can be registered under Section 269 of B.N.S.

01.07.2025

cse

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.



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To:

- 1.The Special Judge for Exclusive trial of cases
under POCSO Act, 2012,
Ranipet (Principal District Court, Ranipet)
- 2.The Inspector of Police,
AWPS – Ranipet Police Station,
Ranipet District.
- 3.The Superintendent,
Central Prison, Vellore.
- 4.The Public Prosecutor,
High Court Madras.



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M.NIRMAL KUMAR, J.

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