



Crl.O.P.No.19109 of 2025

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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 04.07.2025

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THE HONOURABLE MR. JUSTICE M.NIRMAL KUMAR

Crl.O.P.No.19109 of 2025

Naaveentam Singh

... Petitioner

Vs.

The State of Tamil Nadu,
Rep. by The Inspector of Police,
Erode Railway Police Station,
GRP District Erode.
(Cr.No.06 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.06 of 2025 pending on the file of the respondent.

For Petitioner : Mr.TK Ashok Kumar

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

ORDER

The petitioner, who was arrested and remanded to judicial custody
on 21.03.2025, for the offence punishable under Sections 9(m) and 10 of
Protection of Children from Sexual Offences Act, 2012 (POCSO Act) in
Crime No.06 of 2025, registered on the file of the respondent, seeks bail.



Crl.O.P.No.19109 of 2025

WEB COPY

2. The case of the prosecution is that the petitioner was employed as a coach attendant in Lokmanya Tilak train from Mumbai to Coimbatore and the victim in this case, who had travelled in the said train had lodged a complaint that the petitioner had made inappropriate touch on the victim girl on the 8 year old girl at odd hours. Hence, the case.

3. Learned counsel appearing for the petitioner submitted that the petitioner is an innocent person, he has not committed any offence as alleged by the prosecution and he has been falsely implicated in this case. 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. Learned Government Advocate (Crl. Side) appearing for the respondent police, while opposing for grant of bail to the petitioner, reiterated the prosecution case and submitted that the occurrence took place on 01.02.2025 and the complaint has been lodged and the petitioner was arrested on 21.03.2025 and the test identification parade conducted on 02.05.2025 and further submitted that apart from the victim, yet another person, who traveled in the same coach also made similar complaint about the petitioner. He



Crl.O.P.No.19109 of 2025

WEB COPY

further submitted that the investigation has been completed and charge sheet has also been filed

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 (out of which one shall be a local surety)**, each for a like sum to the satisfaction of the learned **Principal District and Sessions Judge, Erode** 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



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Crl.O.P.No.19109 of 2025

respondent police daily at 10.30.a.m., for a period of three weeks and thereafter as and when required for interrogation;

[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.

04.07.2025

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4/6



CrI.O.P.No.19109 of 2025

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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. Principal District and Sessions Judge, Erode.
2. The Inspector of Police,
Erode Railway Police Station,
GRP District Erode.
3. The Central Prison, Puzhal, Chennai.
4. The Public Prosecutor,
High Court of Madras.

M.NIRMAL KUMAR, J.

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Crl.O.P.No.19109 of 2025

Crl.O.P.No.19109 of 2025

04.07.2025