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Crl.O.P.No.20224 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 06.08.2025

CORAM

THE HONOURABLE MR. JUSTICE M.NIRMAL KUMAR

Crl.O.P.No.20224 of 2025

Venkatesh

.. Petitioner

Vs.

State rep. by
Inspector of Police,
AWPS Denkanikottai,
Krishnagiri District
Crime 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 Crime No.18
of 2025 on the file of the respondent police.

For petitioner : Mr. R.Balakrishnan

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

ORDER

The petitioner, who was arrested and remanded to judicial custody on
26.03.2025, for the offence punishable under Sections 5(l), 5(j)(ii) r/w 6 of
POCSO Act 2012 in Crime No.18 of 2025 on the file of the respondent, seeks
bail.



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2. The case of the prosecution is that the petitioner and the victim were in love with each other and the petitioner used to visit the house of the victim and also they had physical relationship with her, due to which the victim became pregnant. Since the victim girl is a minor, case has been registered. Hence, the case.

3. Learned counsel appearing for the petitioner submitted that the petitioner is an innocent person and he had been falsely implicated in this case. He also 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 (Criminal Side) appearing for the respondent police, while opposing for grant of bail to the petitioner, reiterated the prosecution case and submitted that the petitioner was arrested on 26.03.2025.

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

6. It is seen that both the parents of the petitioner as well as the victim had agreed to conduct their marriage, after the victim attained the age of majority. Considering the facts and circumstances of the case, nature of allegations, submissions made by the learned counsels on either side, considering the period



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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** for a like sum to the satisfaction of the **learned Sessions Judge, Fast Track Mahila Court, Krishnagiri** 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 police daily at 10.30 am., 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



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or for police custody beyond the first fifteen days, she 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.

06.08.2025

Shl

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. The Sessions Judge, Fast Track Mahila Court,
Krishnagiri
2. The Inspector of Police,
AWPS Denkanikottai,
Krishnagiri District
3. The Superintendent,
District Jail, Dharmapuri.
4. The Public Prosecutor,
High Court, Madras.



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M.NIRMAL KUMAR, J.

Shl

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