



Crl.O.P.No.18889 of 2025

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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 15.07.2025

CORAM

THE HON'BLE MR. JUSTICE M.NIRMAL KUMAR

Crl.O.P.No.18889 of 2025

Suriya @ Suriyaprakash

... Petitioner

Vs.

The State represented by,
The Station House Officer,
Manalurpet Police Station.
(Crime No.192 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.192 of 2025 on the file of the respondent Police.

For Petitioner : Ms.R.Raji

For Respondent : Mr.R.Vinothraja
Government Advocate (Criminal Side)

ORDER

The petitioner, who was arrested and remanded to judicial custody on
31.05.2025 in connection with Crime No.192 of 2025 registered for the offences
punishable under Sections 296(b), 329(4), 115(2), 351(3) of BNS r/w Sections
5(1) and 6 of Protection of Children from Sexual Offences Act, 2012, seeks bail.



Crl.O.P.No.18889 of 2025

WEB COPY

2. The case of the prosecution is that the accused had sexual contact with the victim boy, aged about 15 years, and when the same was questioned by the de facto complainant, the accused abused him and threatened him and his family with dire consequences. Hence the case.

3. The contention of the learned counsel appearing for the petitioner is that the petitioner is innocent and has been falsely implicated in this case. He further submitted that the victim has a certain orientation and that there was a relationship between the victim and the petitioner and the petitioner had not forced the victim. He also submitted that due to the personal vengeance and since the parents of the victim are against the petitioner's relationship, they had given a false complaint against the petitioner. Hence, he prayed for grant of bail.

4. Learned Government Advocate (Criminal Side) appearing for the respondent police reiterated the prosecution case and opposed for granting bail to the petitioner. He further submitted that the substantial investigation has been completed and the statement has been recorded from the victim under Section 183 BNSS.

5. Heard both sides and perused the materials available on record including the victim's statement under Section 183 BNSS.



Crl.O.P.No.18889 of 2025

WEB COPY

6. Considering the facts and circumstances of the case, the submission made by the learned counsel appearing on either side and taking note of the medical records which does not shows any serious injuries on the victim and considering the statement given by the minor victim, 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 **Sessions Judge, Special Court for exclusive trial cases under POCSO Act, Kallakurichi**, 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, everyday at 10.30 a.m., for a period of two 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;



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CrI.O.P.No.18889 of 2025

[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.

15.07.2025

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CrI.O.P.No.18889 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. The Sessions Judge,
Special Court for exclusive trial of cases under POCSO Act,
Kallakurichi.
2. The Station House Officer,
Manalurpet Police Station.
3. The Superintendent,
Central Prison, Cuddalore.
4. The Public Prosecutor,
High Court of Madras.



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Crl.O.P.No.18889 of 2025

M.NIRMAL KUMAR, J.

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Crl.O.P.No.18889 of 2025

15.07.2025