



Crl.O.P.No.19133 of 2025

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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 07.07.2025

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THE HONOURABLE MR. JUSTICE M.NIRMAL KUMAR

Crl.O.P.No.19133 of 2025

Manikandan @ Manikandan Anthres .. Petitioner
Vs.

The State rep by
The Inspector of Police
Vellore All Women Police Station,
Vellore district.
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 connection
pending investigation in Cr.No.23 of 2025 on the file of Inspector of Police,
Vellore All Women Police Station, Vellore district.

For Petitioner : Mr. G.Vinodhkumar

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

ORDER

The petitioner, who was arrested and remanded to judicial custody on
27.05.2025, for the offence punishable under Sections 74, 75, 351(2) of BNS and
Section 11(4), 12 of POCSO Act in Crime No.23 of 2025, registered on the file of
the respondent, seeks bail.



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2. The case of the prosecution as per the defacto complainant, who is a mother of the victim girl, that the petitioner is a relative of the defacto complainant's husband and he used to drop the victim girl in the school. Thereafter, the petitioner followed the victim girl and tortured her to marry him. He also threatened her not to disclose the same to anyone. Hence, the case.

3. Learned counsel appearing for the petitioner submitted that the petitioner is an innocent person and he has been falsely implicated in this case. He also submitted that the petitioner is in no way connected with the alleged offence, however, he is suffering incarceration from 27.05.2025. It is the contention of the petitioner that he is a relative of the victim girl and he used to drop her to the school in his bike. He further contended that there was a dispute between the petitioner and the victim girl's parents which is now projected as though the petitioner has been following the victim and also forcing her to have a love relationship. 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.



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4. Learned Government Advocate (Crl.side) appearing for the respondent police, produced the statement recorded under Section 164 of CrPC from the victim girl and submitted that the victim is a school going child and the petitioner is the uncle of the victim girl. He submits that the petitioner used to pick and drop the victim girl in the school in his bike. Thereafter, he started to present gifts to the victim girl and the same was also questioned by the victim's mother. On 25.04.2025, when the victim along with her neighbor were speaking near the petitioner's bike, at that time, on the guise of placing kerchief, the petitioner touched and pulled the victim's hand. Hence, he strongly opposed to grant bail to the petitioner.

5. Heard both sides and perused the materials available on record including the statement recorded under Section 183 of BNSS from the victim girl.

6. On perusal of the statement recorded under Section 183 of BNSS from the minor victim girl, it is seen that the petitioner and the victim girl are relatives and he used to drop her at her school on several occasions. Subsequently, the petitioner is alleged to have shown some interest on the victim girl which she resisted leading to lodging of the present complaint.



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7. Considering the facts and circumstances of the case, nature of allegations, submissions made by the learned counsels on either side and considering 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 **Special Judge for Exclusive Trial of Cases under POCSO Act, Vellore** 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., until further orders.

[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;



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[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.

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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 Special Judge for Exclusive Trial of Cases under POCSO Act, Vellore.
2. The Inspector of Police
Vellore All Women Police Station,
Vellore district.
3. The Superintendent,
Central Prison, Vellore.
4. The Public Prosecutor,
High Court, Madras.

M.NIRMAL KUMAR, J.



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