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Crl.O.P.No.20330 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 18.07.2025

CORAM

THE HONOURABLE MR. JUSTICE M.NIRMAL KUMAR

Crl.O.P.No.20330 of 2025

Paulraj

... Petitioner

Vs.

The State represented by
The Inspector of Police,
W-30, All Women Police Station, Poonamallee,
Poonamallee.

Crime No.9 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.9 of 2025 on the file of the respondent.

For Petitioner : Mr.R.Subburaj
For Respondent : Mr.R.Vinothraja
Government Advocate (Crl.Side)

ORDER

The petitioner, who was arrested and remanded to judicial custody on
07.06.2025, for the offence punishable under Section 9 (1), 9 (n), 9 (i) of
Protection of Child from sexual offences Act, 2012 and Section 9 and 10 of
Prohibition of Child Marriage Act, 2006, in Crime No.9 of 2025, registered



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on the file of the respondent, seeks bail.

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2.The case of the prosecution is that the petitioner/A1 is the father of the victim girl. A2 is the maternal uncle of the victim girl. The petitioner is said to have performed the marriage of his daughter to A2 who is a college going student. Hence, the case.

3.The learned counsel appearing for the petitioner submitted that the petitioner is an innocent person and he has been falsely implicated in this case. He further submitted that the petitioner is in judicial custody from 07.06.2025 and hence, further custody of the petitioner is not required. Hence, he prayed for grant of bail to the petitioner.

4. Learned Government Advocate (Criminal Side) appearing for the respondent police reiterated the prosecution case and submitted that 164 statement of the victim girl has been recorded and it is seen that there is no whisper about any forcible marriage to her. She only narrates about the fight between her father and mother.

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



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6.Considering the facts and circumstances of the case, submissions made by the learned counsels on either side and 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 **Session Judge, Special Court for Exclusive Trial of Cases under POCSO Act, Tiruvallur**, 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 a.m for a period of two weeks; 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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[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.

18.07.2025

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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.



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To

- 1.The Session Judge, Special Court for
Exclusive Trial of Cases under POCSO Act,
Tiruvallur.
- 2.The Inspector of Police,
W-30, All Women Police Station, Poonamalee,
Poonamallee.
- 3.The Central Prison,
Puzhal.
- 4.The Public Prosecutor,
High Court of Madras.



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M.NIRMAL KUMAR, J.

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