



Crl.O.P.No.20194 of 2025

WEB COPY

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 17.07.2025

CORAM

THE HONOURABLE MR. JUSTICE M.NIRMAL KUMAR

Crl.O.P.No.20194 of 2025

Prakashraj

... Petitioner/Accused

Vs.

The State of Tamil Nadu rep by
The Inspector of Police,
SRMC All Women Police Station,
Kancheepuram District.
(Crime No.395 of 2025)

... Respondent

PRAYER : Criminal Original Petition filed under Section 483 of Bharatiya
Nagarik Suraksha Sanhita, 2023, to enlarge the Petitioner on bail pending
investigation in Crime No.395 of 2025 on the file of the Respondent police.

For Petitioner : Mr.S.Suresh

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

ORDER

The petitioner, who was arrested and remanded to judicial custody on
18.05.2025, for the offences punishable under Sections Girl Missing @ 87 of



Crl.O.P.No.20194 of 2025

BNS, 2023 and Sections 7 and 8 of POCSO Act, 2012 in connection with Crime No.395 of 2025, registered on the file of the respondent, seeks bail.

2. The case of the prosecution is that the de-facto complainant's daughter, aged about 15 years was found missing on 14.05.2025. Hence, initially a case was registered under Girl Missing. Thereafter, on enquiry, it was found that the de-facto complainant's daughter and the petitioner had a love affair. Hence, the case was registered against the petitioner.

3.The learned counsel for the petitioner submitted that the petitioner is an innocent person and he has not committed any offence as alleged by the prosecution. He further submitted that the petitioner and the victim were in love with each other. The victim girl was waiting for her final examination results. Fearing for the results, she called the petitioner and thereafter they went to various places and finally they came to the petitioner's house, which was now projected as though the petitioner took the victim to his relative's house and committed sexual harassment. Hence, he prayed to grant bail to the petitioner.



Crl.O.P.No.20194 of 2025

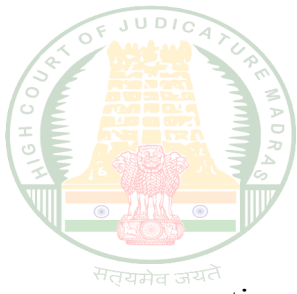
WEB COPY

4. The learned Government Advocate (Criminal Side) appearing for the respondent police submitted that the petitioner and the victim girl had a love affair. The victim in her statement under Section 164 of Cr.P.C. not supported the case of the prosecution and the same is produced.

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

6. Considering the submissions made on either side and on perusal of the statement under Section 164 Cr.P.C., it is seen that petitioner and the victim girl were in love with each other. The victim girl was waiting for her final examination results. Fearing about the exam results, she called the petitioner and thereafter they went to various places and finally they came to the petitioner's house, where the victim's parents along with the police secured the victim. The victim in her 164 statement confirms that she only called the petitioner and also confirms the love affair between them. She specifically not stated about any sexual assault. In view of the same, 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



Crl.O.P.No.20194 of 2025

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 **Principal District and Sessions Judge, Special Court for Exclusive Trial of Cases under POCSO Act, Kancheepuram**, 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 30 days 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



Crl.O.P.No.20194 of 2025

WEB COPY

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.

17.07.2025

rsi

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.



WEB COPY



Crl.O.P.No.20194 of 2025

M.NIRMAL KUMAR, J.

rsi

To

1.The Principal District and Sessions Judge,
Special Court for Exclusive Trial of Cases under POCSO Act,
Kancheepuram.

2.The Inspector of Police,
SRMC All Women Police Station,
Kancheepuram District.

3.The Superintendent,
Sub Jail, Chengalpattu.

4.The Public Prosecutor,
High Court of Madras.

Crl.O.P.No.20194 of 2025

17.07.2025