



Crl.O.P.No.20256 of 2025

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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 28.07.2025

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THE HONOURABLE MR. JUSTICE M.NIRMAL KUMAR

Crl.O.P.No.20256 of 2025

Palani Raj @ Palani Raja

.. Petitioner

Vs.

The State rep by
The Inspector of Police
South K.V.R. Nagar All Women Police Station
Tiruppur District
Crime No. 42 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. 42 of 2025 on the file of the respondent police.

For Petitioner : Mr.S.Parameswaran

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

ORDER

The petitioner, who was arrested and remanded to judicial custody on 24.06.2025, for the offence punishable under Sections 7 & 8 of POCSO Act, in Crime No.42 of 2025, registered on the file of the respondent, seeks bail.



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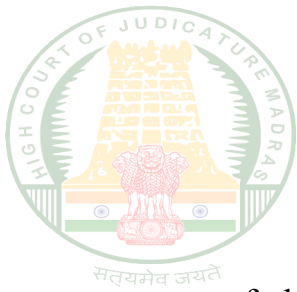
2. The case of the prosecution is that the accused, who is the neighbour of the de facto complainant, had peeped into the common bathroom when the victim girl was inside and committed sexual assault on her. Hence the case.

3. The contention of the learned counsel appearing for the petitioner is that the petitioner and the de facto complainant are neighbours and there exists a dispute between them with regard to usage of common bathroom and therefore, due to the previous enmity, a false complaint has been lodged against the petitioner. He further submitted that the petitioner is innocent and he is ready to abide by any stringent condition that may be imposed by this Court. Hence, he prayed for the grant of bail to the petitioner.

4. Learned Government Advocate (Crl.side) appearing for the respondent police reiterated the prosecution case and opposed for the grant of bail to the petitioner. He further submitted that the statement has been recorded from the victim girl under Section 183 BNSS.

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

6. Considering the facts and circumstances of the case, nature of allegations, submissions made by the learned counsels on either side and taking



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note of 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 **Sessions Magalir Neethi Mandram, Tiruppur** 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 am., 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;

[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

M.NIRMAL KUMAR, J.



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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.

28.07.2025

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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.

To

1. The Sessions Magalir Neethi Mandram, Tiruppur.
2. The Inspector of Police,
South K.V.R. Nagar All Women Police Station,
Tiruppur District.
3. The Superintendent, Sub Jail, Tiruppur
4. The Public Prosecutor, High Court, Madras.

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