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CRL.O.P.No.20677 of 2025



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 23.07.2025

CORAM

THE HONOURABLE MR JUSTICE M. NIRMAL KUMAR

CRL.O.P.No.20677 of 2025

Ashok

Petitioner

Vs

State rep by

The Inspector of Police

All Women Police Station,

Vandalur, Tambaram City.

Crime No.10/2025.

Respondent

PRAYER: Criminal Original Petition filed under Section 483(1) of Bharatiya
Nagarik Suraksha Sanhita, 2023, to enlarge the petitioner on bail in Crime
No.10 of 2025 on the file of the Inspector of Police, Vandalur All Women Police
Station, Tambaram City.

For Petitioner : Mr.K.Gokulram

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



ORDER

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The petitioner, who was arrested and remanded to judicial custody on 09.05.2025, for the offence punishable under Sections 5(i), 5(j)(ii), 6(1) of POCSO Act, 2012, in Crime No.10 of 2025, registered on the file of the respondent, seeks bail.

2. The case of the prosecution is that the accused had committed aggravated penetrative sexual assault on the minor victim girl, due to which she become pregnant. 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 09.05.2025. 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 reiterated the prosecution case and opposed for granting bail to the petitioner. He further submitted that the statement has been recorded from the victim girl under Section 183 BNSS, in which, she had stated the names of the petitioner and two others. He also submitted that the fetus of the victim was aborted and the sample was sent for DNA test.

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, the submission made by the learned counsels on either side and taking note of the statement given by the minor victim girl under Section 183 BNSS, 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 **POCSO Special and Sessions Judge at Kancheepuram** on further conditions that:

[a] the sureties shall affix their photographs and Left Thumb Impression in the Application for Surety ship



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[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;

[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.

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Index: Yes/No

Speaking/Non-speaking order

Internet: Yes

Neutral Citation: Yes/No

To

1. The POCSO Special and Sessions Judge at Kancheepuram.
2. The Inspector of Police
All Women Police Station,
Vandalur, Tambaram City.
3. Sub Jail, Chengalpattu.
4. The Public Prosecutor,
High Court of Madras.



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M.NIRMAL KUMAR J.

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