



Crl.O.P.No.22073 of 2025

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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 08.08.2025

CORAM

THE HON'BLE MR. JUSTICE M.NIRMAL KUMAR

Crl.O.P.No.22073 of 2025

Senthamil

... Petitioner

Vs.

The State represented by,
The Inspector of Police,
Vaniyambadi Police Station,
Thirupathur.
(Crime No.142 of 2025)

... Respondent

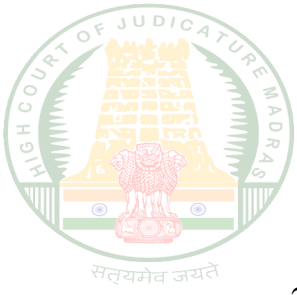
PRAYER : Criminal Original Petition filed under Section 483 of Bharatiya Nagarik Suraksha Sanhita, 2023, to enlarge the petitioner on bail in Crime No.142 of 2025 on the file of the respondent Police.

For Petitioner : Mr.K.Siva

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

ORDER

The petitioner, who was arrested and remanded to judicial custody on 12.06.2025 for the offences punishable under Sections 5(1) r/w 6(1) of the POCSO Act, Section 137(1), 9 & 10 of BNS, in Crime No.142 of 2025 on the file of the respondent police, seeks bail.



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2. The case of the prosecution is that the defacto complainant's daughter, aged about 13 years was found missing on 01.06.2025. Thereafter, on enquiry, it was found that the first petitioner had married the victim girl and that this petitioner had provided them shelter. It is further alleged that the petitioner was unaware of the girl's age and had no knowledge that she was a minor, and that he has been falsely implicated in the present case. Hence, the complaint.

3. The contention of the learned counsel appearing for the petitioner is that the petitioner is innocent and has been falsely implicated in this case. He further submitted that the co-accused/A1 was granted bail by this Court in Crl.OP.No.20413 of 2025 dated 21.07.2025. He further submitted that the petitioner is ready to abide by any conditions that may be imposed by this Court. Hence, he prayed for grant of bail.

4. Learned Government Advocate (Criminal Side) appearing for the respondent police reiterated the prosecution case and opposed for granting bail to the petitioner. He further submitted that the 183 of BNS has been recorded and that the investigation has been completed and the charge sheet was also filed.

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

6. Considering the submission made by the learned counsel on either side, nature of allegation and the period of incarceration, this Court is inclined to



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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 **Judicial Magistrate, Vaniyambadi**, 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 Trial Court on all hearing dates without fail;

[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



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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.

08.08.2025

drl

To

1. The Judicial Magistrate,
Vaniyambadi.
2. The Inspector of Police,
Vaniyambadi Police Station,
Thirupathur.
3. The Superintendent, Sub Jail,
Vaniyambadi.
4. The Public Prosecutor,
High Court of Madras.



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M.NIRMAL KUMAR, J.

drl

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