



Crl.O.P.No.21686 of 2025

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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 04.08.2025

CORAM

THE HONOURABLE MR. JUSTICE M.NIRMAL KUMAR

Crl.O.P.No.21686 of 2025

S.Selva Ganapathi

.. Petitioner

Vs.

The State rep by
The Inspector of Police
North All Women Police Station
Thiruppur, Thiruppur District
Tamil Nadu-641 602
Crime No. 18 of 2023

... Respondent

PRAYER : Criminal Original Petition filed under Section 483 of Bharatiya
Nagarik Suraksha Sanhita, 2023 to enlarge the petitioner on bail in Spl.S.C.No.19
of 2024 on the file of the Sessions Judge, Fast Track Mahila Court, Tiruppur,
Tiruppur District.

For Petitioner : Mr.B.Karthik

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

ORDER

The petitioner, who was arrested and remanded to judicial custody on
07.07.2025 for the offence punishable under Sections 7 r/w 8 of POCSO Act,
2012 Crime No. 18 of 2023, registered on the file of the respondent, seeks bail.



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2. The case of the prosecution is that due to non-appearance before the Trial Court on 04.04.2025, NBW was issued against the petitioner on 04.04.2025 and the same was executed on 09.07.2025. 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 07.07.2025. He also submits that due to health issues, he was unable to appear before the trial Court. 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.

4. Learned Government Advocate (Crl.side) appearing for the respondent police, submitted that NBW was issued against the petitioner on 04.04.2025 and the same was executed on 09.07.2025. He also submits that petitioner has not appeared for five hearings. He further submits that none of the witnesses were examined and the case was posted on 04.09.2025 for trial. Hence, he strongly opposed to grant bail to the petitioner.



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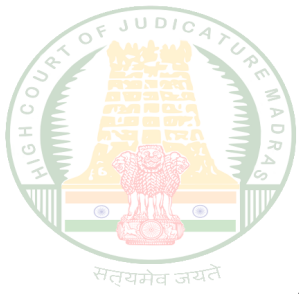
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5. Heard both sides and perused the materials available on record .

6. Considering the facts and circumstances of the case, nature of allegations, submissions made by the learned counsels on either side, it is seen that NBW was issued against the petitioner on 04.04.2025 since he has not appeared before the Trial Court for five hearings. Thereafter, the same was executed on 09.07.2025. Now, the case is posted for examination of witnesses on 04.09.2025. However, considering 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 **Magalir Neethimandram (Fast Track Mahila Court), Session Court, 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,



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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 every Monday and Friday at 10.30 a.m., and on all hearing dates without fail until further orders.

[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]**;



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[g] If the accused thereafter absconds, a fresh FIR
can be registered under Section 269 of B.N.S.

04.08.2025

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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 Magalir Neethimandram (Fast Track Mahila Court), Session Court,
Tiruppur District.
2. The Inspector of Police
North All Women Police Station
Thiruppur, Thiruppur District
Tamil Nadu-641 602
3. The Superintendent,
Sub-Jail, Tiruppur District.
4. The Public Prosecutor,
High Court, Madras.



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M.NIRMAL KUMAR, J.

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