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Crl.O.P.No.22062 of 2025

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.22062 of 2025

Hariprasanth

... Petitioner

Vs.

The State represented by,
The Inspector of Police,
W-34 All Women Police Station-Ennore,
Tiruvallur District.
(Crime No.18 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.18
of 2025 on the file of the respondent Police.

For Petitioner : Mr.P.Muthamizh Selvakumar

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(I), 5(j)(ii) r/w 6 of
POCSO Act, in Crime No.18 of 2025 on the file of the respondent police, seeks
bail.



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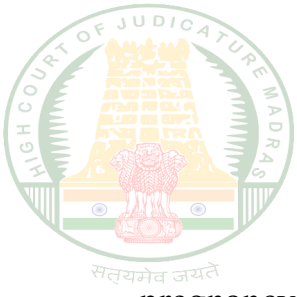
2. The case of the prosecution is that the first petitioner and the victim were in love with each other, during which the petitioner committed sexual assault, she became pregnant and later she aborted. The further allegation is that the first petitioner had earlier been arrested in Crime No.279 under NDPS case, and that subsequent to this, the victim entered into a relationship with the petitioner. and thereafter, she became love with this petitioner. Hence, the case.

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 medical examination has been completed and 164 also has been recorded, the victim narrates that petitioner is not a person to be a reason of pregnancy. 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 is still pending.

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

6. Considering the submission that the petitioner is arrayed as A2 in this case and taking into account the victim's statement confirming that her



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pregnancy was not a result of her relationship with 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 **Sessions Judge, Special Court of Exclusive Trial of Cases under POCSO Act, Thiruvallur**, 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 daily at 10.30 a.m., for a period of three 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



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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.

08.08.2025

drl

To

1. The Sessions Judge, Special Court of Exclusive Trial of Cases under POCSO Act, Thiruvallur,
2. The Inspector of Police, W-34 All Women Police Station-Ennore, Tiruvallur District.
3. The Superintendent, Central Prison, Puzhal-II, Chennai.
4. The Public Prosecutor, High Court of Madras.

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M.NIRMAL KUMAR, J.

drl

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