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CrI.O.P.No.22152 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 08.08.2025

CORAM

THE HON'BLE MR. JUSTICE M.NIRMAL KUMAR

CrI.O.P.No.22152 of 2025

Dhanapal

... Petitioner

Vs.

The State represented by,
The Inspector of Police,
All Women Police Station, Sathyamangalam,
Sathyamangalam Taluk,
Erode District.

(Crime No.14 of 2025)

... Respondent

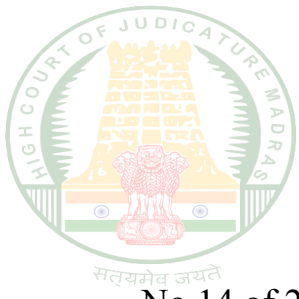
PRAYER : Criminal Original Petition filed under Section 483 of Bharatiya
Nagarik Suraksha Sanhita, 2023, to enlarge the petitioner on bail in Crime No.14
of 2025 on the file of the respondent Police.

For Petitioner : Mr.D.Veerasekaran

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

ORDER

The petitioner, who was arrested and remanded to judicial custody on
26.06.2025 for the offences punishable under Sections 5(I), 5(j)(ii) and under
Section 6 of Protection of Children from Sexual Offences Act, 2012, in Crime



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No.14 of 2025 on the file of the respondent police, seeks bail.

2. The case of the prosecution is that the accused had committed aggravated penetrative sexual assault on the minor victim girl. 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 petitioner and the victim girl were in love and the petitioner, aged about 20 years, without understanding the consequences had committed the aforesaid offence and their relationship is consensual. 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. It is seen that the petitioner and the victim girl were loved each other on the false promise of marriage, the petitioner committed sexual intercourse with her and later he refused to marry. During December 2024, the victim girl attempted to commit suicide but survived. It is now submitted that the petitioner is willing to marry the victim girl.



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7. Considering the facts and circumstances of the case, the submission made by the learned counsel appearing on either side and taking note of the period of incarceration undergone by the petitioner and considering the statement given by the minor victim girl, this Court is inclined to grant bail to the petitioner with certain conditions.

8. 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 **Court of Sessions, Magalir Neethi Mandram (Fast Track Mahila Court), Erode**, 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;



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[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.

drl

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To

1. The Court of Sessions, Magalir Neethi Mandram
(Fast Track Mahila Court), Erode,
2. The Inspector of Police,
All Women Police Station, Sathyamangalam,
Sathyamangalam Taluk,
Erode District.
3. The Superintendent, Sub Jail,
Gobichettipalayam, Erode District.
4. The Public Prosecutor,
High Court of Madras.



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M.NIRMAL KUMAR, J.

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