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Crl.O.P.No.22574 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 13.08.2025

CORAM

THE HONOURABLE Dr.JUSTICE G.JAYACHANDRAN

Crl.O.P.No.22574 of 2025

Kanthan (Male/Age 40)
S/O.Mari
No:99 Ettiyathamman Koil Street,
Kundumedu,
Thirumazhisai, Chennai.

... Petitioner/Accused

Vs.

State rep. by:
Inspector of Police,
The W-30 Poonamallee AWPS,
Crime No.8/2025

... Respondent/Complainant

PRAYER : Criminal Original Petition filed under Section 483 of *Bharatiya Nagarik Suraksha Sanhita*, 2023, to please to enlarge the petitioner on bail, in the case pending investigation in Crime No.8 of 2025 on the file of the respondent police.

For Petitioner : Mr.R.Loganathan

For Respondent : Mr.L.Baskaran
Government Advocate (Crl. Side)



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ORDER

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The petitioner, who was arrested and remanded to judicial custody on 22.05.2025, for the offence punishable under Sections 77 of BNS, 2023 and Section 9(l), 9 (n) and 10 of POCSO Act, 2012 in Crime No.8 of 2025, registered on the file of the respondent, seeks bail.

2. The case of the prosecution is that on 22.05.2025, the defacto complainant, Mrs.Kokila, wife of the petitioner, lodged a complaint before the respondent police. She stated that she is employed as a tailor in a private export company and has two children; a 15-year-old daughter (the victim) and a 13-year-old son. On the date of occurrence, at about 9.00 a.m., while the victim was bathing, the petitioner in a drunken state, kicked open the bathroom door entered inside and hugged the victim. The victim cried and informed the defacto complainant. It is further alleged that the petitioner repeated the same act on another occasion. Based on the complaint, a case was registered by the respondent police.

3. The learned Government Advocate (Crl.Side) appearing for the respondent police states that on completion of investigation, final report filed



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on 18.07.2025 before the Special Court for Trial of cases under POSCO Act
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Court, Thiruvallur.

4. Recording the submissions made by the learned Government Advocate (Crl.Side), this Court is inclined to grant bail to the petitioner, subject to certain conditions.

5. Accordingly, the petitioner is ordered to be released on subject to the following conditions:

[a] The petitioner shall execute 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 **Sessions Judge, Special Court for Trial of Cases under POCSO Act, Tiruvallur.**

[b] 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;



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[c] **The petitioner shall stay at Vellore District and report before the Bagayam Police Station and report before the respondent police on every Monday and Wednesday until further orders;**

[d] The petitioner is directed not to go to the place of victim.

[e] 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]**;

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

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bsm

Note :

1. Registry is directed to forthwith upload this order in the Official Website of this Court.



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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 Sessions Judge, Special Court for Trial of Cases POCSO, Tiruvallur.
- 2.The Sub-Inspector of Police, Natrampalli Police Station, Tirupattur District.
- 3.The Central Prison, Puzhal-II, Chennai.
- 4.The Public Prosecutor, High Court of Madras.



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Dr.G.JAYACHANDRAN, J.

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