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Crl.O.P.No.22569 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 26.08.2025

CORAM

THE HONOURABLE Dr.JUSTICE **G.JAYACHANDRAN**

Crl.O.P.No.22569 of 2025

Sasikumar

... Petitioner/Accused

Vs.

The State Rep. by:
The Inspector of Police,
The W-34, Ennore AWPS,
(Crime No.21 of 2025)

... Respondent

PRAYER : Criminal Original Petition filed under Section 483 of Bharatiya Nagrik Suraksha Sanhita, to enlarge the petitioner on bail in the case pending investigation in Crime No.21 of 2025 on the file of the Respondent Police.

For Petitioner : Mr.R.Loganathan

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

ORDER

The petitioner, who was arrested and remanded to judicial custody on 30.06.2025, for the offence punishable under Section 9(n) R/W 10 & 11(1), 11(3) R/W 12 of POCSO Act, 2012, in Crime No.21 of 2025, registered on the file of the respondent, seeks bail.



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2. The case of the prosecution is that the accused is the petitioner and de-facto complainant is his wife who lodged a complaint against the petitioner alleging that the petitioner is improperly behaving with his minor daughter by showing pornographic films to her and also sexually harassing her while she is in sleep. Hence, the present complaint.

3. The learned counsel appearing for the petitioner submits that due to some misunderstanding between the husband and wife and also for deferment of daughter who is having an affair with one Praveen, the de-facto complainant gave a false complaint.

4. This Court to verify the contention of the petitioner counsel directed the learned Public Prosecutor (Crl.Side) to produce C.D file.

5. On perusing the records, this Court finds that the victim child has deferment on showing Tatoo of praveen's name on her chest. The Investigation Officer confirms the fact that the de-facto complainant has a Tatoo of said Praveen on her chest.

6. The learned Public Prosecutor (Pondy) states that the investigation is pending. Hence, he opposed for grant of bail to the petitioner.



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

8. Considering the said fact, this Court is inclined to grant bail to the petitioner, subject to certain conditions.

9. Accordingly, the petitioner is ordered to be released on bail on his executing a bond for a sum of **Rs.25,000/- (Rupees Twenty Five Thousand only)** with **two sureties, each on or before 10.09.2025** for a like sum to the satisfaction of the learned **Sessions Judge, Special Court for Trial of Cases under POCSO Act, Tiruvallur**, 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 stay away from his residence and shall not contact the victim girl. For the said purpose, he shall report before the Inspector of police, Chinna Kancheepuram daily at 10.30 a.m.,**



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until further orders;

[c] 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]**;

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

26.08.2025

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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

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- 1.The Sessions Judge, Special Court for Trial of Cases under POCSO Act, Tiruvallur.
- 2.The Inspector of Police,
The W-34, Ennore AWPS
- 3.The Superintendent, Central Prison,Puzhal-II
- 4.The Public Prosecutor, High Court, Madras.



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Dr.G.JAYACHANDRAN,J.,

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