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CRL OP No. 23093 of 2025



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 12-09-2025

CORAM

THE HONOURABLE MRS.JUSTICE T.V.THAMILSELVI

CRL OP No. 23093 of 2025

1. Surya

S/o.Raghuram, No.19/24, Gandhi Road,
2nd Street, Amirthapuram, Mel
Tirutani, Tiruvallur District.

Petitioner(s)

Vs

1. State By

Inspector of Police, Brammadesam
Police Station, Tiruvannamalai District.
Crime No.134 of 2025

Respondent(s)

PRAYER

To enlarge the Petitioner on bail in Crime No.134/2025 pending on the file of the Respondent police and thus render justice.

For Petitioner(s): D.Thirumoorthy

For Respondent(s): Mr.A.Gopinath
Government Advocate (Crl.side)



ORDER

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The petitioner, who was arrested and remanded to judicial custody on 25.07.2025 for the alleged offence under Sections 75(1) and 351(2) of BNS Act, 2023 and Section 11(1) and 12 of Protection of Child from Sexual Offences Act, 2012, in Crime No.134 of 2025, on the file of respondent police, seeks bail.

2. The case of the prosecution is that the occurrence taken place on 04.05.2025. The victim girl is aged about 14 years. The petitioner is a married man having 3 minor children. It is alleged that on 04.05.2025 the petitioner and the defacto complainant's family had travelled in a auto for a temple, while returning, it is alleged that the petitioner had attempted to misbehave with the minor girl. Hence, the case.

3. The learned counsel for the petitioner submitted that the petitioner is an innocent person and due to some previous enmity he has been falsely implicated in this case, and he is running a chips shop. He further submits that the petitioner has been suffering incarceration from 25.07.2025. Hence, he seeks for grant of bail to the petitioner.



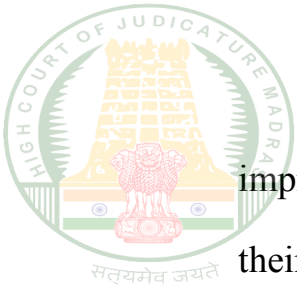
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4. The learned Government Advocate (Crl.Side) appearing for the respondent police opposed the grant of bail to the petitioner and submitted that the petitioner misbehaved with the victim girl, who is aged about 14 years. He further submitted that 164 statement was recorded and the investigation is almost completed.

5. Taking into consideration the facts and submissions made by both counsels, the investigation is almost completed and 164 statement was recorded, and also considering the period of incarceration undergone by the petitioner, this court is inclined to grant bail to the petitioner with certain conditions.

6. Accordingly, the petitioner is ordered to be released on bail on executing a bond for a sum of Rs.10,000/- (Rupees Ten Thousand only) with two sureties, **in which one surety must be a blood surety** for a like sum to the satisfaction of the *learned Special Judge for exclusive Trial of cases under POCSO Act, 2012, Tiruvannamalai* and on further conditions that:

(a) the sureties shall affix their photographs and left thumb



impression in the surety bond and the Magistrate may obtain a copy of their Aadhar card or Bank pass Book to ensure their identity;

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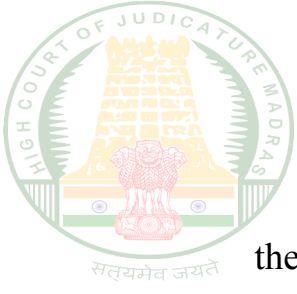
(b) the petitioner shall report before the respondent police on every Tuesday at 10.30 a.m. for the period of eight weeks.

(c) the petitioner shall not tamper with evidence or witness either during investigation or trial;

(d) the petitioner shall not abscond either during investigation or trial;

(e) on breach of any of the aforesaid conditions, the Magistrate/ Trial Court is entitled to take appropriate action against the petitioner in accordance with law as if the conditions have been imposed and the petitioner released on bail by the Magistrate/Trial Court himself as laid down by the Hon'ble Supreme Court in *P.K.Shaji Vs. State of Kerala [(2005) AIR SCW 5560]*; and;

(f) if the accused thereafter absconds, a fresh FIR can be registered under Section 229-A IPC.



(g) the petitioner shall not to have any communicate with
the victim girl.

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Index: Yes/No

Speaking/Non-speaking order

Internet: Yes

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To

1.State By

Inspector of Police,

Brammadesam Police Station,

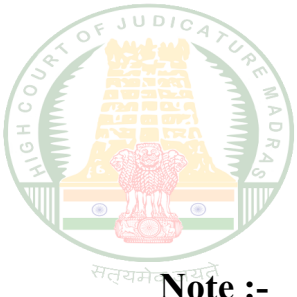
Tiruvannamalai District.

Crime No.134 of 2025

2.The Special Judge for exclusive Trial
of cases under POCSO Act, 2012,
Tiruvannamalai.

3. The Superintendent of Jail,
Central Jail, Tiruvannamalai.

4.The Public Prosecutor,
High Court of Madras



Note :-

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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.



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T.V.THAMILSELVI J.
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