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Crl.O.P.No.23527 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 25.08.2025

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

Crl.O.P.No.23527 of 2025

Palani Murugan

... Petitioner

Vs.

The State of Tamil Nadu Rep. by:
The Inspector of Police,
All Women Police Station,
Dharmapuri District.
(Crime No.30 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.30 of 2025 on the file of the Inspector of Police, All Women Police
Station, Dharmapuri District, pending investigation.

For Petitioner : Mr.S.Saran Prasad

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

ORDER

The petitioner, who was arrested and remanded to judicial custody
on 09.06.2025, for the offence punishable under Sections 5(1)(m)(n) read



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with 6 of the POCSO Act, 2012, in Crime No.30 of 2025, registered on the file of the respondent, seeks bail.

2. The case of the prosecution is that based on the complaint lodged by 13 years old victim girl, it is alleged that the petitioner had sexually harassed her and committed penetrative sexual assault about two years ago. He further submitted that during awareness camp conducted in the school, the victim came to know the difference between good and bad touch and thereafter, disclosed the incident. Hence, the present complaint.

3. The learned counsel appearing for the petitioner submitted that the petitioner is 51 years old and a relative of the defacto complainant. He further submitted that due to a property dispute between the families, a false complaint has been lodged against the petitioner.

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

5. Considering the rival submissions and taking note of the fact that the petitioner has substantiated his plea by producing the partition deed between the family members before this Court and also taking into account that the prosecution has completed the investigation and filed final report,



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this Court is inclined to grant bail to the petitioner, subject to certain conditions.

6. 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 learned **Sessions Judge (FAC), Special Court for Exclusive Trial of Cases under POCSO Act, Dharmapuri** 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., 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



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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.

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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

1.The Sessions Judge (FAC), Special Court for Exclusive Trial of Cases under POCSO Act, Dharmapuri.

2.The Inspector of Police,
All Women Police Station,
Dharmapuri District.

3.Central Jail, Salem.

4.The Public Prosecutor,



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Dr.G.JAYACHANDRAN, J.



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