



Crl.O.P.No.23754 of 2025

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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED :01.09.2025

CORAM

THE HONOURABLE Dr.JUSTICE G.JAYACHANDRAN

Crl.O.P.No.23754 of 2025

Vivek @ Vivek Kumar, M/A 28 years,
S/o Shanmugam,
No.9/190-B, AD Colony,
Karaipudhar, Arulpuram Post,
Palladam Taluk, Tiruppur District.

..Petitioner/Sole Accused

/versus/

State Rep.by
The Inspector of Police,
All Women Police Station, Palladam,
Tiruppur District.
(Crime No.22 of 2025.

..Respondent/Complainant

PRAYER : Criminal Original Petition filed under Section 483 of Bharatiya Nagarik Suraksha Sanhita, 2023, to enlarge the petitioner on bail, pending investigation of the case in the Crime No.22 of 2025 on the file of the respondent.

For Petitioner :Mr.M.Vijayaragavan

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



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ORDER

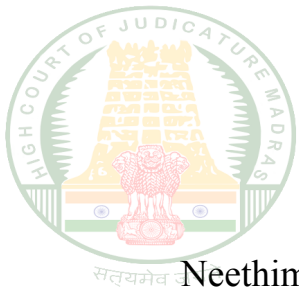
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The petitioner, who was arrested and remanded to judicial custody on 26.06.2025 for the offences punishable under Sections 7 and 8, 11(i) r/w 12 of POCSO Act, in Crime No.22 of 2025 on the file of the respondent police, seeks bail.

2. The case of the prosecution is that the petitioner herein is alleged to have committed sexual harassment of 16 years old girl residing next to his house. Further, investigation discloses that this petitioner used to obscene seen with semi nude poster.

3.The learned counsel appearing for the petitioner submitted that the petitioner is an innocent person and he has been falsely implicated in this case. He further submitted that he was arrested on 26.06.2025 by the respondent police.

4. The learned Government Advocate (Crl.Side) appearing for the respondent police submitted that the investigation has been completed and charge sheet has also been filed before the Sessions Court, Magalir



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Neethimandram (Fast Track Mahila Court) Tiruppur.

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5. Considering the facts and circumstances of the case and taking note of the period of incarceration, 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 his executing a bond for a sum of **Rs.25,000/- (Rupees Twenty Five Thousand only)** with **two sureties**, each for a like sum to the satisfaction of the learned **Sessions Judge, Magalir Neethimandram(Fast Track Mahila Court) Tiruppur**, 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]**Since the petitioner is next to the house of the victim, the petitioner shall stay at Coimbatore and report before the Race Course Police Station daily twice at 10.00 a.m and 05.00 p.m., until further orders and also he should attend the Court on all hearing days without fail;**

[c] On breach of any of the aforementioned conditions, the learned Magistrate/Trial Court is entitled to pass appropriate orders against the



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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.

01.09.2025

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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

- 1.The Sessions Court, Magalir Neethimandram(Fast Track Mahila Court) Tiruppur.
- 2.The Inspector of Police, All Women Police Station, Palladam, Tiruppur District.
- 3.The Central Prison, Coimbatore.
- 4.The Public Prosecutor, High Court of Madras.

Dr.G.JAYACHANDRAN, J.



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