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CRL OP No. 24357 of 2025



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 08-09-2025

CORAM

THE HONOURABLE MRS.JUSTICE T.V.THAMILSELVI

CRL OP No. 24357 of 2025

Abdul Kalam
S/o.Abdul Rahman,
No.477, Gandhi Nagar, Urapakkam,
Kancheepuram District.

Petitioner(s)

Vs

The State rep by its,
The Inspector of Police, M-4 Redhills
Police Station, AWPS, Tiruvallur.
Crime No.29 of 2025

Respondent(s)

CRL OP No. 24357 of 2025

PRAYER

To enlarge the bail to the Petitioner on the file of the respondent police M-4 Redhills All Women Police Station, Crime No.29 of 2025

For Petitioner(s): Mr. B.Duraivel

For Respondent(s): Mr.A.Gopinath,
Govt. Advocate (Crl. Side)



ORDER

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The petitioner, who was arrested and remanded to judicial custody on 13.07.2025 for the alleged offence under Section 11(IV), (V) r/w 12 of POCSO Act in Crime No.29 of 2025 on the file of the respondent police, seeks bail.

2. The case of prosecution is that the petitioner said to have morphed photos of minor girl and threatened her and compelled her to have love affair with him. Hence, the complaint was registered against the petitioner.

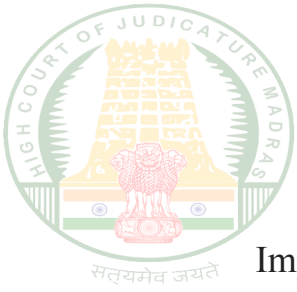
3. The learned counsel for the petitioner submitted that he was falsely implicated in this case as if he attempted to morph the photos of a minor girl and he is a close relative of defacto complainant. He would submit that he is the sole bread winner of his family and he is ready to abide any condition that may be imposed by this court. He would also submit that the allegations made against the petitioner is baseless and fabricated and he is no way connected with the offence and he has not at all committed any offence as alleged by the respondent police. He would further submit that the investigation is almost completed and that the petitioner has been suffering incarceration from 13.07.2025 for more than 98 days. Hence, he prayed to grant bail to the petitioner.



4. The learned Government Advocate (Crl. Side) appearing for respondent would submit that the victim is aged about 13 years and this petitioner had compelled her to have love affair with him and also threatened him. He would also submit that the petitioner is aged about 35 years and he attempted to morph photos of a minor girl. He would submit that 164 statement was recorded from the victim girl. He would submit that the investigation is not yet completed and if he is released on bail, he would hamper the investigation and tamper the witnesses Hence, he strongly opposed to grant bail to the petitioner.

5. On perusal of 161 statement recorded from the victim girl, she had stated that the petitioner was their close relative. Considering the facts and circumstances and also on considering the period of incarceration for more than 98 days from 13.07.2025, 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 bond for a sum of Rs.10,000/- (Rupees Ten Thousand only) with two sureties each, **in which one surety must be a blood surety**, for a like sum to the satisfaction of the *Special Court for Exclusive trial of cases under POCSO Act, Tiruvallur*, and on further conditions that:



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(a) the sureties shall affix their photographs and Left Thumb Impression in the surety bond and the learned Magistrate may obtain a copy of their Aadhar Card or Bank Pass Book to ensure their identity;

(b) the petitioner shall report before the respondent police on alternative days at 10.30 a.m. for the period of three months;

(c) the petitioner shall not have any communication with a victim girl and her family members and he shall appear before the trial court for every hearing regularly without fail and to cooperate with the trial proceedings.

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

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

(f) on breach of any of the aforesaid conditions, the learned 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 learned 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;



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(f) if the accused thereafter absconds, a fresh FIR can be registered under Section 269 of BNS.

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Index: Yes/No

Speaking/Non-speaking order

Internet: Yes

Neutral Citation: Yes/No

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To

1. The Special Court for Exclusive trial of cases under POCSO Act at Tiruvallur.
2. The Inspector of Police, M-4 Redhills Police Station, AWPS, Tiruvallur Dt.
3. The Superintendent of Prison, Central Prison, Puzhal.
4. The Public Prosecutor, High Court, Madras

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.



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T.V.THAMILSELVI J.

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