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Crl.OP.No.24113 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 10.09.2025

CORAM:

THE HON'BLE MRS.JUSTICE T.V.THAMILSELVI

Crl.O.P.No.24113 of 2025

Muthu,
S/o.Gangan

... Petitioner

-VS-

State rep by,
The Inspector of Police,
Peralam Police Station,
Tiruvarur District.
(Crime No.304 of 2025)

.. Respondent

PRAYER: Criminal Original Petition has been filed under Section 483 of BNSS Act, pleaded to enlarge the petitioner on bail pending investigation in Crime No.304 of 2025 on the file of the respondent police.

For Petitioner : Mr.T.Muruganantham

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



ORDER

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The petitioner, who was arrested and remanded to judicial custody on 09.07.2025 for the alleged offences punishable under Sections 96 (366 A of IPC) of BNS and under Section 7 r/w Section 8 of POCSO Act in Crime No.304 of 2025 on the file of the respondent police, seeks bail.

2. The case of prosecution is that the victim is 16 years old girl. On the day of occurrence, the victim girl did not go to school and went along with the petitioner and stayed with the petitioner for a day. On coming to know that police is looking for them, the next day, both of them returned back. The victim girl was sent along with her parents. Hence the complaint.

3. The learned counsel for the petitioner submitted that the petitioner has not committed any offence as alleged by the prosecution and he has been falsely implicated in this case. Hence, he prays for grant of bail.

4. The learned Government Advocate (Crl. Side) appearing for respondent would submit that the complaint was given by the mother of the victim she stating that the girl missing, thereafter the victim girl along with the petitioner was secured. He would submit that the investigation is almost



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. Considering the above facts and circumstances and also the fact that the victim girl now under the custody of her parents, 164 statement also recorded, she had love affair with the petitioner and also the fact that the investigation is almost completed, 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 interim 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 *learned Fast Track Mahila Court, Tiruvarur* 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;

(b) the petitioner shall appear before the



WEB COPY



CrI.OP.No.24113 of 2025

respondent police on alternative days at 10.30 a.m. for the period of three months and the petitioner not to have any communication with the victim girl and co-operate the trial proceedings, if any deviation bail dismissed automatically;

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

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

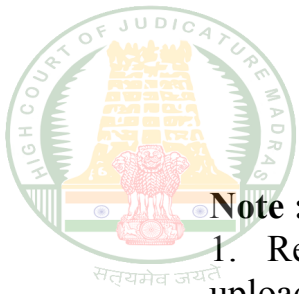
(g) on breach of any of the aforesaid conditions, the learned Magistrate/ Trial Court is entitled to take appropriate action against the petitioners in accordance with law as if the conditions have been imposed and the petitioners released on bail by the learned Magistrate/Trial Court himself as laid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

(h) if the accused thereafter absconds, a fresh FIR can be registered under Section 269 of B.N.S.

10.09.2025

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4/6



CrI.OP.No.24113 of 2023

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 learned Fast Track Mahila Court,
Tiruvarur.
- 2.The Inspector of Police,
Peralam Police Station,
Tiruvarur District.
- 3.The Superintendent of Prison,
Central Prison, Trichy.
- 4.The Public Prosecutor,
High Court, Madras



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Crl.OP.No.24113 of 2025

T.V.THAMILSELVI, J.

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