



Crl.O.P.No.24191 of 2025

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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 10.09.2025

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THE HONOURABLE MRS. JUSTICE T.V.THAMILSELVI

Crl.O.P.No.24191 of 2025

Sivakumar

... Petitioner

Vs.

State, rep by
The Inspector of Police,
Pollachi Taluk Police Station,
Coimbatore District.
Crime NO. 108 of 2025

... Respondent

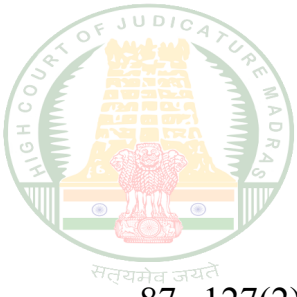
PRAYER : Criminal Original Petition filed under Section 483 of Bharatiya Nagarik Suraksha Sanhita, 2023, to enlarge the petitioner on Bail pending Trial in SPL. S.C.No.215 of 2025 CNR No.TNCBID 000652 of 2025 (On the file of the Principal Special Court for Exclusive Trial of Cases Under POCSO Act, Coimbatore)

For Petitioner : Mr.V.Murugesan

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

ORDER

The petitioner, who was arrested and remanded to judicial custody on 17.04.2025 for the alleged offence under Sections 5(1) read with 6 of POCSO Act, 2012 and Sections 9 of Prohibition of Child Marriage Act, 2006 and Section



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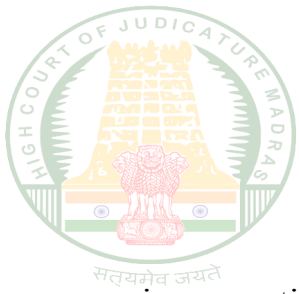
87, 127(2) and 65(1) of BNS, 2023, in Crime No.108 of 2025, on the file of respondent police, seeks bail.

2. The case of the prosecution is that, based on the complaint lodged by the mother of the victim girl, it is alleged that the petitioner, by suppressing the fact that he was already got married, eloped with the minor girl and sexually harassed her. Hence, the present complaint.

3. The learned counsel for the petitioner submitted that the petitioner has been falsely implicated, as though he had misbehaved with the victim. He further submits that the petitioner has been suffering incarceration from 17.04.2025. Hence, he seeks for grant of bail to the petitioner.

4. The learned Government Advocate (Crl. Side) submitted that the petitioner attempted to sexually assault the victim girl, for which the victim's mother lodged the complaint. He further submitted that the statement of the victim under Section 164 Cr.P.C. has been recorded. He also submitted that the the investigation has been completed. Hence, he opposed to grant bail to the petitioner.

5. Considering the facts, the submissions made by both counsels, and the fact that the investigation is almost complete, and also considering the period of



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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 ***Principal Special Court for Exclusive Trial of Cases Under POCSO Act, Coimbatore***, and on further conditions that:

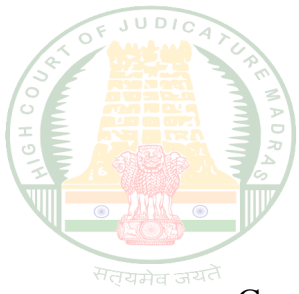
(a) the sureties shall affix their photographs and left thumb impression in the surety bond and the Magistrate may obtain a copy of their Aadhar card or Bank pass Book to ensure their identity;

(b) the petitioner shall report before the respondent police every Monday at 10.30 a.m. for a period of three months.

(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



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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 communicate with the victim and his family members and cooperate with the trial proceedings.

10.09.2025

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To

1.The Principal Special Court for Exclusive Trial of Cases Under POCSO Act, Coimbatore.

2.The Inspector of Police,
Pollachi Taluk Police Station,
Coimbatore District.

3. The Superintendent of Prison, Central Prison, Coimbatore.

4.The Public Prosecutor, High Court of Madras.

Note :-

1. Registry is directed to forthwith upload this order in the Official Website of this Court.

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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.

T.V.THAMILSELVI, J.

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