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Crl.O.P.No.24195 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 03.09.2025

CORAM

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

Crl.O.P.No.24195 of 2025

Srikanth

... Petitioner

Vs.

The Station House Officer,
All Woman Police Station,
Bargur.
(Crime No.19 of 2025)

... Respondent

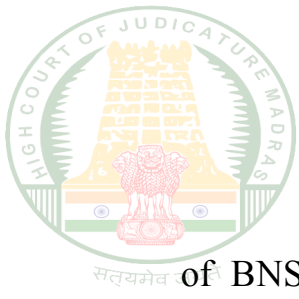
PRAYER : Criminal Original Petition filed under Section 483 of Bharatiya Nagarik Suraksha Sanhita, 2023, to enlarge the petitioner on bail in Crime No.19 of 2025 on the file of the Inspector of Police, AWPS Bargur, Krishnagiri District, pending investigation.

For Petitioner : Mr.R.Lokeshwaran

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

ORDER

The petitioner, who was arrested and remanded to judicial custody on 08.08.2025, for the alleged offence punishable under Sections 87, 137(2)



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of BNS and 5(I), 5(j) (ii), 6(1) of Protection of Children from Sexual Offence Act, 2012 in Crime No.19 of 2025, registered on the file of the respondent, seeks bail.

2. The case of the prosecution is that the complaint was given by the mother of the minor child on 31.07.2025, reporting that her minor child had been missing since mid night on 30.07.2025 and that she suspected the petitioner to be the person who had kidnapped her. The respondent police rescued the child and arrested the petitioner. Hence, the complaint.

3. On perusal of the statement under Section 183 of BNSS, it is seen that the child was examined by the Judicial Magistrate. The minor child had an affair with one Manikandan and begotten the child. She has not implicated this petitioner in any of the POCSO offence.

4. The learned Government Advocate (Crl.Side) appearing for the respondent police submits that this petitioner, in his confession statement, has admitted that he knows that the victim girl had affair with Manikandan and had a child who is presently aged 1 ½ years, despite this, with the



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intention to marry her, he kidnapped her and had sexual intercourse with her. He further submitted that the investigation is still pending.

4. This Court, after considering the statement of the victim child, who has not implicated this petitioner, and considered the fact that the victim child had, even without marriage, given birth to a child born to one Manikandan and that Manikandan had signed in the hospital records at the time of delivery, is of the opinion that there is some motive behind the complaint given by the mother of the victim child.

5. Considering the period of incarceration already undergone by the petitioner and the nature of the crime, 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.25,000/- (Rupees Twenty Five Thousand only)** with **two sureties**, each for a like sum to the satisfaction of the learned **Fast Track Mahila Court, Krishnagiri**, and on further conditions that:



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[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 as and when required for interrogation;

[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 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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drl



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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 Fast Track Mahila Court,
Krishnagiri.
- 2.The Station House Officer,
All Woman Police Station,
Bargur.
- 3.The Superintendent,
District Prison, Dharmapuri.
- 4.The Public Prosecutor,
High Court of Madras.



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Dr.G.JAYACHANDRAN, J.

drl

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