



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 08-09-2025

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THE HONOURABLE MRS.JUSTICE T.V.THAMILSELVI

CRL OP No. 24435 of 2025

Subramani
S/o.Vedi Gounder,
No.416, Vedi Vattam, Poongulam Post,
(Via) Mittur, Tirupathur taluk and
District

Petitioner(s)

Vs

State of Tamilnadu rep by
the Sub Inspector of Police
Alangayam Police Station, Tirupathur
District Cr.No.88/2025

Respondent(s)

CRL OP No. 24435 of 2025

PRAYER

To enlarge the petitioner on bail Cr.No.88/2025 pending investigation on the file of the respondent.

For Petitioner(s): Mr. E.Kannadasan

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



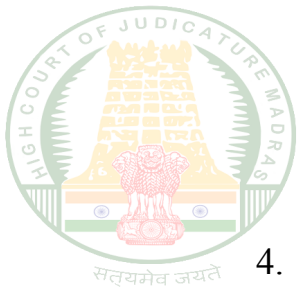
ORDER

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The petitioner, who was arrested and remanded to judicial custody on 12.07.2025 for the alleged offences under Sec. 126(2), 65(1), 351(2) of BNS and Sec.3(a), 4 of Protection of Children from Sexual Offences Act, 2012 in Crime No.88 of 2025, on the file of the respondent police, seeks bail.

2. The case of prosecution is that the defacto complainant, who was a aunt of victim girl, had lodged a complaint stating that the petitioner said to have penetrated sexual assault with the victim girl. Hence, the complaint was registered against the petitioner.

3. The learned counsel for the petitioner submitted that as there was an enmity in plugging mangos from his grove and at the instigation of her aunt, the victim girl gave a false complaint against him as if he attempted to penetrate sexual assault with her. 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 12.07.2025 for more than 87 days. Hence, he prayed to grant bail to the petitioner.



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4. The learned Government Advocate (Crl. Side) appearing for respondent raised objections that he is arrayed as sole accused and he is aged about 59 year old. He would also submit that when the victim girl was crossing the main road by bicycle, he forcibly stopped her and attempted to make sexual assault and on seeing this, two other persons have prevented him and rescued the victim girl. He would submit that 164 statement was recorded from the victim girl. 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 and no previous case pending against him. Hence, he strongly opposed to grant bail to the petitioner.

5. Considering the facts and circumstances and the fact that the investigation almost completed and 161 statement was recorded from the victim girl and also on considering the period of incarceration for more than 87 days from 12.07.2025 and no previous case pending against him, this Court is inclined to grant bail to the petitioner with certain conditions.

6. Accordingly, the petitioner is directed to **deposit a sum of Rs.30,000/- (Rupees thirty thousand only) for the mental agony caused to the victim girl into the credit of Crime No.88 of 2025 before the concerned Magistrate within a period of two weeks from the date of receipt of copy of this order**



and on such deposit, the victim girl is permitted to withdraw the amount on filing undertaking affidavit and on production of proper identification and acknowledgement. On such deposit, 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 *Sessions Division of Tirupattur District*, and on further conditions that:

(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;



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(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;

(g) 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

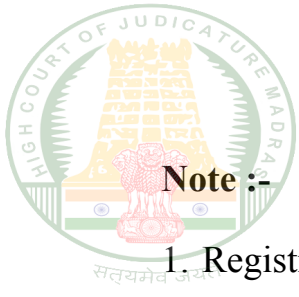
Internet: Yes

Neutral Citation: Yes/No

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To

1. The Sessions Division of Tirupattur Dt.
2. The Sub-Inspector of Police, Alangayam Police Station, Tirupathur Dt.
3. The Superintendent of Prison, Central Prison, Vellore.
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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