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Crl.O.P.No.26853 of 2025



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 26.09.2025

CORAM

THE HONOURABLE MR JUSTICE K.RAJASEKAR

Crl.O.P.No.26853 of 2025

M.Velan

... Petitioner

Vs.

The State rep.by
The Inspector of Police
All Women Police Station
Harur, Dharmapuri District.
(Crime No.11 of 2025)

... Respondent

PRAYER : Criminal Original Petition filed under Section 483 of Bharatiya
Nagarik Suraksha Sanhita, 2023, to enlarge the petitioner on bail in
Spl.S.C.No.174 of 2015 now pending trial on the file of the learned Special
Court for Exclusive Trial of Cases under POCSO Act, Dharmapuri.

For Petitioner : Mr.R.Ganesh Kumar

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 **05.04.2025** for the alleged offences punishable under Sections **5(1), 5(j)(ii), 6(1) of Protection of Child from Sexual Offences Act, 2012** and later altered into Sections **5(1), 5(j)(ii), 6(1) of POCSO Act** and Sections **9 & 10 of Prohibition of Child Marriage Act, in Crime No.11 of 2025** on the file of the respondent police, seeks bail.

2. The case of the prosecution is that the petitioner had threatened the victim girl and had forcible physical relationship with her. Hence, the case.

3. The learned counsel appearing for the petitioner states that the petitioner is an innocent person and he has not committed any such offence as alleged by the prosecution. He further submitted that he has been falsely implicated in this case and the co-accused already granted bail by this Court in Crl.O.P.No.25527 of 2025 dated 17.09.2025. He further submitted that the petitioner is ready to abide by any stringent condition that may be imposed by this Court. Hence, he prayed for grant of bail to the petitioner.



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4. The learned Government Advocate (Criminal.Side) appearing for the respondent police reiterated the prosecution case and submitted that the final report has been filed, charges have been framed and the trial commenced. Hence, he opposed grant of bail to the petitioner.

5. Heard both sides and perused the materials available on record.

6. Considering the facts and circumstances of the case, the period of incarceration undergone by the petitioner and the fact that investigation is completed, final report has been filed before the trial Court, this Court is inclined to grant bail to the petitioner with certain conditions;

7. Accordingly, the petitioner is ordered to be released on bail on his executing a bond for a sum of **Rs.20,000/- (Rupees Twenty Thousand Only)** with **two sureties**, for a like sum to the satisfaction of the **learned Special Court for Exclusive Trial of Cases and under POCSO Act, Dharmapuri** 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 appear before the concerned Court daily at 10.30 a.m., for a period of three weeks and thereafter, on all the hearing dates till completion of trial;

[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.

26.09.2025

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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 Special Court for Exclusive Trial of Cases
and under POCSO Act, Dharmapuri.

2.The Inspector of Police
All Women Police Station
Harur, Dharmapuri District.
(Crime No.11 of 2025

3.The Superintendent,
Central Prison, Salem.

4.The Public Prosecutor
High Court of Madras,
Chennai 600 104.



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K.RAJASEKAR, J.

dna

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