



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 07.11.2025

CORAM

THE HONOURABLE MR JUSTICE **K.RAJASEKAR**

Crl.O.P.No.24868 of 2025

Kalidasan

... Petitioner

Vs.

The State of Tamilnadu Rep by its
The Station House Officer,
All Women Police Station, Thirukoilur,
Kallakurichi District.
Cr.No.79 of 2025

... Respondent

PRAYER : Criminal Original Petition filed under Section 483 of Bharatiya Nagarik Suraksha Sanhita, 2023, to enlarge the petitioner on bail in connection with Crime No.79 of 2025 on the file of the respondent police.

For Petitioner : Mr.A.M.Ravindranath Jeyapal
For Ms.R.Raji
For Respondent : Mr.A.Gopinath
Government Advocate (Crl. Side)

ORDER

The petitioner, who was arrested and remanded to judicial custody on 23.07.2025 for the alleged offence under Sections 5(l), 5(j)(ii) and 6 of POCSO Act r/w Section 296(b) of BNS, 2023, in Crime No.79 of 2025 on the file of the respondent police, seek bail.



2. The case of the prosecution is that the petitioner is a known person to the victim girl, who is aged about 17 years, who had enticed her to have sexual intercourse and was subjected to penetrative assault, which resulted in causing pregnancy. After coming to know about her pregnancy, matter has come to light and hence the complaint.

3. The learned counsel for the petitioner would submit that the was in love relationship with victim girl and now the petitioner is ready to marry girl and the petitioner's father has no objection to their marriage to that effect they filed the undertaking affidavit. Hence, he prays to grant bail to the petitioner.

4. The learned Government Advocate (Crl.Side) appearing for the respondent police would submit that the petitioner's father raised objection to their marriage thereafter she lodged a complaint. He would further submit that the investigation has been completed and final report has also been filed. Hence, he opposed for grant of bail to the petitioner.

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

6. Taking into consideration, the fact that the petitioner herein is 20 years old and in this case, already investigation has been completed and final report has also been filed and that the petitioner is in Judicial Custody from



23.07.2025, this Court is inclined to grant bail to the petitioner.

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7. 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**, for a like sum to the satisfaction of the **learned Session Judge, Special Court for Exclusive Trial Cases under POCSO Act, Kallakurichi**, and on further conditions that:

[a] the sureties shall affix his 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 concerned trial Court daily at 10.30 a.m., for a period of four weeks and thereafter as and when required for interrogation; It is made clear that the petitioner shall not enter into the jurisdictional limit of the respondent police.

[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.

07.11.2025

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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
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1. The Session Judge, Special Court for Exclusive Trial Cases under POCSO Act, Kallakurichi.
2. The Station House Officer,
All Women Police Station, Thirukoilur,
Kallakurichi District.
3. Central Prison, Cuddalore.
4. The Public Prosecutor,
High Court of Madras.



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K.RAJASEKAR, J.,

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