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Crl.O.P.No.24544 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 10.09.2025

CORAM

THE HONOURABLE MRS. JUSTICE T.V.THAMILSELVI

Crl.O.P.No.24544 of 2025

Subash

... Petitioner

Vs.

State, rep by
The Inspector of Police,
All Women Police Station,
Coimbatore.
(Crime No. 5/2023)

... Respondent

PRAYER : Criminal Original Petition filed under Section 483 of Bharatiya Nagarik Suraksha Sanhita, 2023, to enlarge the petitioner on bail, pending investigation, in Connection with the case in Spl.SC.No.288/2025 on the file of the Sessions Judge, Principal Special Court for Exclusive Trial of Cases under POCSO Act, Coimbatore

For Petitioner : Mr.R.Raja Priya

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 9(1) read with 10, 11(1),



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11(4), 11(5) read with 12, 16 read with 17 of POCSO Act, 2012 and Section 506(2) of IPC and Section 67(B) of IT Act, 2000, in Crime No.5 of 2023, on the file of respondent police, seeks bail.

2. The case of the prosecution is that the petitioner developed intimacy with the victim and later threatened to post her photographs on Instagram. Hence, the present complaint.

3. The learned counsel for the petitioner submitted that the petitioner has been falsely implicated, as if he attempted to morphing the photographs of the victim. He further submits that the petitioner has been suffering incarceration from 23.07.2025. Hence, he seeks for grant of bail to the petitioner.

4. The learned Government Advocate (Crl. Side) submitted that the petitioner had threatened to post the photographs on Instagram, which led the victim to lodge the complaint. He further submitted that though the petitioner was earlier granted anticipatory bail, he failed to comply with the conditions imposed therein, and was consequently remanded to judicial custody. He also submitted that the cell phone has been recovered and the statement of the victim has been recorded. Hence, he opposed to grant bail to the petitioner.

5. Considering the facts, the submissions made by both counsels, and the



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fact that the investigation is almost complete, and also considering the period of 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 *Sessions and 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 Tuesday and Saturday 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



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the petitioner in accordance with law as if the conditions have been imposed and the petitioner released on bail by the 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;

(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.

(h) the petitioner shall not upload or share any photographs of the victim on social media or any other public platform;

10.09.2025

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To

- 1.The Sessions and Principal Special Court for Exclusive Trial of Cases Under POCSO Act, Coimbatore.
- 2.The Inspector of Police,
All Women Police Station,
Coimbatore.
3. The Superintendent of Prison, Central Jail, Coimbatore City.
- 4.The Public Prosecutor, High Court of Madras.

Note :-

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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.

T.V.THAMILSELVI, J.



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