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Crl.O.P.No.25092 of 2025



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 22-09-2025

CORAM

THE HONOURABLE MR JUSTICE K. RAJASEKAR

CRL OP NO.25092 of 2025

Prabu

... Petitioner

Vs

The State rep. by,
The Inspector of Police,
Tiruttani A.W.P.S,
(Crime No.39 of 2025)

... Respondent

PRAYER : Criminal Original Petition filed under Section 483 of Bharatiya
Nagarik Suraksha Sanhita, 2023, to grant bail to the petitioner/accused in
Crime No.39 of 2025 on the file of the respondent police.

For Petitioner(s) : Mr.R. Radha Pandian

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

ORDER



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The petitioner, who was arrested and remanded to judicial custody on 21.07.2025, for the offence under Sections 87 of BNS and Sections 5(l), 5(j)(ii) r/w 6(1) of POSCO Act, 2012 in Crime No.39 of 2025, registered on the file of the respondent police, seeks bail.

2. The case of the prosecution is that the petitioner had committed penetrative sexual assault over the minor victim girl. Consequent to which the victim was four month pregnant. Hence a case was registered by the respondent police.

3. The learned counsel appearing for the petitioner submitted that the petitioner is innocent and he has been falsely implicated in this case. He further submitted that the petitioner is ready to abide by any conditions that may be imposed by this Court and sought for bail to the petitioner.

4. The learned Government Advocate (Criminal Side) appearing for the respondent while opposing the bail to the petitioner, reiterated the prosecution case and submitted that there is no previous case pending against the petitioner. He also submitted that investigation is also completed



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5.Considering the facts and circumstances of the case, the period of incarceration undergone by the Petitioner and investigation has been completed, this Court is inclined to grant bail to the petitioner herein with certain conditions.

6.Accordingly, the petitioner is ordered to be released on bail on their 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 Special Court for Exclusive Trial cases under POCSO Act, Tiruvallur and on further conditions that:

[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 daily at 10.30 a.m., for a period of three 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 other than the hearing dates before the Trial Court, until further orders;**

[c] On breach of any of the aforementioned



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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 abscond, a fresh FIR can be registered under Section 269 of B.N.S.

22.09.2025

smn
To.

1. The Inspector of Police,
Tiruttani A.W.P.S,
2. The Special Court for Exclusive Trial cases
under POCSO Act, Tiruvallur
3. The Superintendent, Central Prison, Puzhal
4. The Public Prosecutor,
High Court of Madras.

K. RAJASEKAR, J.

smn



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