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Crl.OP.No.25334 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 16.09.2025

CORAM

THE HONOURABLE MR JUSTICE **K.RAJASEKAR**

**Crl.O.P.No.25334 of 2025**

Mohamed Kalilur Rahuman

... Petitioner

Vs.

The State Rep by  
The Inspector of Police  
All Women Police Station  
Thiruthuraipoondi  
Tiruvarur District  
(Crime No.6 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 the Crime No.6 of 2025 on the file of the respondent police.

For Petitioner : Mr.D.Padmanabhan

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

**ORDER**

The petitioner, who was arrested and remanded to judicial custody on  
29.04.2025 for the alleged offence punishable under Sections 5(1), 5(o) r/w



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Section 6 of Protection of Child from Sexual Offence Act, 2012 and under Section 9 and 10 of Child Marriage Act, 2006, in Crime No.6 of 2025 on the file of the respondent police, seek bail.

2. The case of the prosecution is that the petitioner had contracts child marriage and committed aggravated penetrative sexual assault with the minor girl aged about 17 years. 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 and he has been falsely implicated in this case. 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.

4. The learned Government Advocate (Criminal Side) appearing for the respondent police reiterated the prosecution case and submitted that this Court has dismissed the petitioner's earlier bail petition vide order dated 02.07.2025. He reported that final report was filed. Hence, he opposed to grant bail to the petitioner.



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5. Heard both sides and perused the materials available on record including the statement of the victim girl recorded under Section 183(5) of BNSS.

6. Considering the facts and circumstances of the case, the period of incarceration and the fact that now final report is filed, 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.25,000/- (Rupees Twenty Five Thousand only)** with **two sureties**, for a like sum to the satisfaction of the **Additional Mahila Court, Tiruvarur District** 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;



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[b] the petitioner shall report before the respondent police daily at 10.30a.m., until further orders;

[c] the petitioner shall not communicate with the victim girl and her family through any mode until disposal of the case.

[d] 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]**;

[e] If the accused thereafter absconds, a fresh FIR can be registered under Section 269 of B.N.S.

16.09.2025

Vv

**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

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when uploaded in the official website of this Court will be watermarked and will also have a QR code.

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To

- 1.The Additional Mahila Court  
Tiruvarur District.
- 2.The Inspector of Police  
All Women Police Station  
Thiruthuraipoondi  
Tiruvarur District.
- 3.The District Prison  
Nagapattinam District
- 4.The Public Prosecutor  
High Court of Madras  
Chennai 600 104



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**K.RAJASEKAR, J.**

Vv

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**16.09.2025**