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Crl.OP.No.25280 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 16.09.2025

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THE HONOURABLE MR.JUSTICE **K.RAJASEKAR**

Crl.O.P.No.25280 of 2025

Udhya Suriyan

... Petitioner

Vs.

State Rep by

The Inspector of Police,

AWPS Red Hills Police Station

Chennai

... Respondent

(Cr.No.39 of 2025)

PRAYER : Criminal Original Petition filed under Section 482 of Bharatiya
Nagarik Suraksha Sanhita, 2023, to enlarge the petitioner on bail in the event
of his arrest in Cr.No.39 of 2025 on the file of the respondent police.

For Petitioners : Mr. R.Parthiban

For Respondent : Mr.S.Udayakumar

Government Advocate (Crl. Side)

ORDER

The petitioner, who apprehends arrest at the hands of the respondent
police for the offences punishable under Section 11 (iv) r/w 12 of POCSO
Act, 2012 in Crime No. 39 of 2025, on the file of the respondent Police,
seeks anticipatory bail.



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2. The allegation against this petitioner is that both the petitioner and the victim girl were hail from the same village. It is alleged that the petitioner stalked the victim girl from her college and on the date of alleged incident, the petitioner is said to have kissed the victim girl. Hence, the case.

3. The learned counsel for the petitioner submits that both the petitioner and the victim girl were known to each other and due to previous enmity, a false case has been foisted against him. He also submits that the petitioner is ready to abide by any conditions that may be imposed by this Court and ready to furnish sufficient solvent sureties for his release. Hence, he prays for grant of anticipatory bail to the petitioner.

4. The learned Government Advocate (Criminal side) for the respondent police, reiterated the prosecution case and submits that the statement of the victim girl is recorded to the effect that the petitioner committed offence under Section 11 (iv) r/w 12 of POCSO Act, 2012. Hence, he opposed to grant anticipatory bail to the petitioner.

5. Considering the facts and circumstances of the case, submissions made by learned counsels on either side, also considering the age of the petitioner and the victim girl and since the custodial interrogation of the



petitioner is not required in this case , this Court is inclined to grant anticipatory bail to the petitioner with certain conditions.

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6. Accordingly, the petitioner is ordered to be released on bail in the event of arrest or on his appearance, within a period of fifteen days from the date on which the order copy made ready, before the learned **Judicial Magistrate No.II, Ponneri** on condition that the petitioner shall execute a bond for a sum of **Rs.10,000/- (Rupees Ten Thousand Only)** with two **sureties** each for a like sum to the satisfaction of the learned Magistrate concerned and on further condition that:

(a) If the petitioner fails to surrender before the concerned Magistrate, within a period of fifteen days from the date of receipt of a copy of this order, this order shall stand automatically cancelled;

[b] 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;

[c] the petitioner shall report before the respondent Police daily at 10.30am for a period of one week and thereafter, as and when required for interrogation;



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[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

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To

- 1.The Judicial Magistrate No.II, Ponneri.
2. The Inspector of Police,
AWPS Red Hills Police Station
Chennai
3. The Public Prosecutor,
High Court of Madras.

K.RAJASEKAR, J.



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