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CRL A No. 1478 of 2025



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 26-09-2025

CORAM

THE HONOURABLE MRS.JUSTICE T.V.THAMILSELVI

CRL A No. 1478 of 2025

1. Prakash Alias Prakashraj
S/o.Karthik Alias Karthikeyan,
Navapalayam Village, Kalasapakkam
Taluk, Thiruvannamalai District.

Appellant(s)

Vs

1. State rep. by
The Deputy Superintendent of Police,
Adhamangalam Pudhur Police Station,
Thiruvannamalai District.

2.The Inspector of Police,
Adhamangalam Pudhur Police Station,
Thiruvannamalai District. Crime No.43
of 2025

3.Divya
W/o.Pachiyappan, Devarayanpalayam,
Kalasapakkam Taluk, Tiruvannamalai
District.

Respondent(s)



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PRAYER

To set aside the order of the Learned Special Court (Under POCSO Act) Tiruvannamalai passed in CrI.M.P.No.105 of 2025 dated 01.09.2025 and enlarge the appellant on bail in connection with the case in Crime No.43 of 2025 on the file of the 1st respondent police and thus render justice.

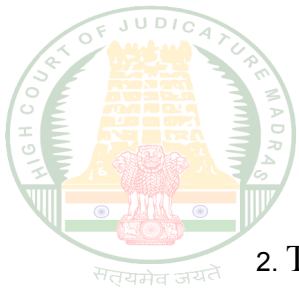
CRL A No. 1478 of 2025

For Appellant(s): E.Sathiyaraj
M.Dhanalakshmi
S.Elvin Niha
Affidavit Of Service Filed

For Respondent(s): Public Prosecutor
Court Notice Service Awaited
For R3
Private Notice Permitted - Proof
Not Filed

ORDER

This appeal has been filed to set aside the order of the Learned Special Court (Under POCSO Act) Tiruvannamalai passed in CrI.M.P.No.105 of 2025 dated 01.09.2025 and enlarge the appellant on bail in connection with the case in Crime No.43 of 2025 on the file of the 1st respondent police.



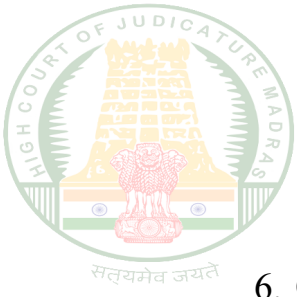
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2. The case of the prosecution is that the petitioner had sexual relationship with the victim girl under the guise of marriage. Thereafter, when 3rd respondent and victim girl approached the appellant and his family members to arrange marriage, the appellant refused to marry her and abused her in filthy language and threatened with dire consequences. Subsequently, the third respondent lodged a complaint, based on that respondent police registered a case in Crime No. 43 of 2025 for the offence under Sections 87, 64(1), 296(b), 115(2), 351(3) of BNS Act and Section 3(a), 4(2) of POCSO Act and Section 3(1)(r), 3(1)(s), 3(2)(v) of SC/ST(POA) Act.

3. The learned counsel for the appellant submits that the appellant has been falsely implicated in this and he is no way connected with this case. Further, he submits that the petitioner is in jail for the past 100 days and he is ready to abide with any conditions and there is no bad antecedent against the petitioner. Hence, he prays to grant bail to the appellant.

4. Third respondent appeared before this Court along with victim girl.

5. The learned Government Advocate (Crl. Side) submits that investigation is almost completed. However, he raised objection to grant bail.



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6. Considering the facts and circumstances of the case and also the fact reveals that there was a love affair between the appellant and the victim girl, thereafter dispute arose between them, the mother of the victim lodged the said complaint. However, the statement of the victim girl has been recorded and the investigation is almost completed and there is no bad antecedents against the appellant. Hence this Court is inclined to grant bail to the appellant with the following conditions and order passed by the Special Court (Under POCSO Act) Tiruvannamalai in Crl.M.P.No.105 of 2025 is set aside.

7. The appellant is ordered to be released on bail on his execution of a bond for a sum of Rs.10,000/- (Rupees ten thousand only) each with two sureties, each for a like sum to the satisfaction of the Special Court (Under POCSO Act) Tiruvannamalai 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 appellant shall report before the respondent police on every Saturday at 10.30 a.m., until further orders. Further, the appellant has caused mental agony to the victim family hence, the appellant is directed to deposit a



sum of Rs.50,000/- to the credit of crime No. 43 of 2025, on such deposit the victim is permitted to withdraw the same.

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[c] the appellant shall not abscond either during investigation or trial.

[d] the appellant shall not tamper with evidence or witness either during investigation or trial.

[e] On breach of any of the aforesaid conditions, the learned Magistrate/Trial Court is entitled to take appropriate action against the appellant in accordance with law as if the conditions have been imposed and the appellant 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)AIR SCW 5560]**.

[f] If the accused thereafter abscond, a fresh FIR can be registered under Section 229A IPC.

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Index: Yes/No

Speaking/Non-speaking order

Internet: Yes

Neutral Citation: Yes/No



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To

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2.The Inspector of Police,

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3.Divya

W/o.Pachiyappan, Devarayanpalayam,
Kalasapakkam Taluk, Tiruvannamalai
District.

4. The Special Court (Under POCSO
Act) Tiruvannamalai.

5. The Central Prison, Vellore.

6. The Public Prosecutor, High Court,
Madras.



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T.V.THAMILSELVI J.
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