



WEB COPY

Crl.O.P.No.26276 of 2025



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 24-09-2025

CORAM

THE HONOURABLE MR JUSTICE K. RAJASEKAR

CRL OP NO.26276 of 2025

Mohammed Gani

... Petitioner/ Accused

Vs

The State rep. by,
AWPS Ammapet,
Salem District
(Crime No.57 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.57 of 2025 on the file of the respondent police.

For Petitioner(s) : Mr.B. Vasudevan

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



ORDER

WEB COPY The petitioner, who was arrested and remanded to judicial custody on 19.08.2025, for the offence under Section 87 of BNS Act and Section 7 r/w 8 of POCSO Act, 2012 in Crime No.57 of 2025, registered on the file of the respondent police, seeks bail.

2.The case of the prosecution is that the petitioner hugged the victim girl and sexually assaulted kidnapped the victim and sexually assaulted him on the bridge opposite Gandhi Stadium. Hence a case was registered by the respondent police.

3.The learned counsel appearing for the petitioner submitted that the allegation is only against a unknown person and the petitioner's name does not found place in the FIR. Hence, prays to grant 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 A1 in this case is not identified so far and the petitioner herein is A2.



WEB COPY

5.Considering the facts and circumstances of the case, the period of incarceration undergone by the Petitioner and the fact that the allegation is only against A1 and the respondent has not identified him so far, 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.15,000/- (Rupees Fifteen Thousand only)** with **two sureties each** for a like sum to the satisfaction of the Sessions Judge, Principal POCSO Court, Salem 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 two weeks and thereafter, as and when required for interrogation.**

[c] On breach of any of the aforementioned conditions, the learned Magistrate/Trial Court is entitled to pass appropriate orders against the petitioner in accordance



WEB COPY



Crl.O.P.No.26276 of 2025

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]**;

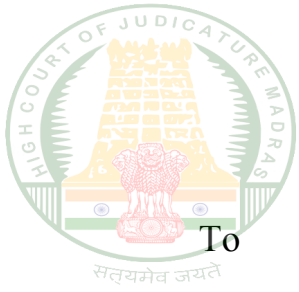
[d] If the accused thereafter abscond, a fresh FIR can be registered under Section 269 of B.N.S.

24.09.2025

smn

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



Crl.O.P.No.26276 of 202.

To

WEB COPY

1. The AWPS Ammapet,
Salem District.
2. The Sessions Judge, Principal POCSO Court,
Salem.
3. The Superintendent, Central Jail, Salem
4. The Public Prosecutor,
High Court of Madras.

K. RAJASEKAR, J.



WEB COPY



Crl.O.P.No.26276 of 2025

smn

Crl.O.P. No.26276 of 2025

24.09.2025