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Crl.O.P.No.26442 of 2025

**IN THE HIGH COURT OF JUDICATURE AT MADRAS**

**DATED : 25.09.2025**

**CORAM**

**THE HONOURABLE MR JUSTICE K.RAJASEKAR**

**Crl.O.P.No.26442 of 2025**

Murali @ Vicky

... Petitioner/Accused

Vs.

The State rep by  
The Inspector of Police,  
Gudiyatham Taluk Police Station  
Gudiyatham, Vellore District.  
(Crime No.175 of 2025)

... Respondent

**PRAYER** : Criminal Original Petition filed under Section 483 of Bharatiya  
Nagarik Suraksha Sanhita, 2023, to enlarge the petitioner on bail in Crime  
No.175 of 2025 on the file of the respondent police.

For Petitioner : Mr.G.Vinodhkumar

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



**ORDER**

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The petitioner, who was arrested and remanded to judicial custody on **18.07.2025** for the alleged offences punishable under Sections **137(2), 65(1), 63(6) of BNS Act and Section 5(1) r/w 6(1) of POCSO Act 2012, in Crime No.175 of 2025** on the file of the respondent police, seeks bail.

2. The allegation is that the petitioner befriended the victim girl, who is aged about 16 years through Instagram and subsequently, he invited the victim girl to his house and committed penetrative sexual assault on the victim girl. Based on the complaint lodged by the defacto complainant, FIR has been registered and the petitioner was arrested. Hence, the case.

3. The learned counsel appearing for the petitioner states that both of them fell in love with each other and it was the victim girl, who voluntarily accompanied the petitioner herein to his house and a false complaint has been lodged against the petitioner. He further submitted that the petitioner is an innocent person and he has not committed any such offence as alleged by the prosecution and 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.

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4. The learned Government Advocate (Criminal.Side) appearing for the respondent police reported that it is a case of sexual assault on the victim girl. Hence, he opposed to grant bail to the petitioner.

5. Heard both sides and perused the materials available on record.

6. Considering the facts and circumstances of the case, the period of incarceration undergone by the petitioner and the petitioner has no antecedents, 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.20,000/- (Rupees Twenty Thousand Only)** with **two sureties**, for a like sum to the satisfaction of the **learned Special Judge for Exclusive Trial of Cases under POCSO Act, Vellore**, and on further conditions that:



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[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 the0 identity proofs to ensure their identity;

**[b] the petitioner shall appear before the respondent Police daily at 10.30 a.m., for a period of three 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 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 absconds, a fresh FIR can be registered under Section 269 of B.N.S.

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**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.

To

- 1.The Special Judge for Exclusive Trial of Cases under POCSO Act, Vellore.
- 2.The Inspector of Police,  
Gudiyatham Taluk Police Station  
Gudiyatham, Vellore District.  
(Crime No.175 of 2025)
- 3.The Superintendent,  
Central Prison, Vellore.
- 4.The Public Prosecutor  
High Court of Madras,  
Chennai 600 104.



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**K.RAJASEKAR, J.**

dna

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