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Crl.O.P.No.26815 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 06.10.2025

CORAM

THE HONOURABLE MR. JUSTICE K.RAJASEKAR

Crl.O.P.No.26815 of 2025

Boopathy @ Boobalan

... Petitioner

Vs.

The State represented by
The Inspector of Police,
Podhanur Police Station,
Coimbatore City.
(Crime No.311 of 2025)

... Respondent

PRAYER : Criminal Original Petition filed under Section 483 of Bharatiya
Nagarik Suraksha Sanhita, 2023, to enlarge the Petitioner/Accused on bail in
Crime No.311 of 2025 pending on the file of the respondent Police.

For Petitioner : Mr.R.Sivakumar

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

ORDER

The petitioner, who was arrested and remanded to judicial custody
on 09.07.2025, for the offence punishable under Sections 5(l) read with 6 of
POCSO Act, 2012, Sections 87, 127(2), 332 and 351(1) of BNS, 2023, in



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Crime No.311 of 2025, registered on the file of the respondent, seeks bail.

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2. The case of the prosecution is that the petitioner had committed penetrative sexual offence on 17 years, five months and 22 days child.

Hence, the case.

3. Learned counsel appearing for the petitioner submitted that the petitioner is an innocent person and has been falsely implicated in this case, and the petitioner has been in custody since 09.07.2025. Hence, he prayed for grant of bail to the petitioner.

4. Learned Government Advocate (Crl.Side) appearing for the respondent police opposed the grant of bail, reiterating the prosecution case and submitted that this Court had earlier dismissed the bail petition filed by the petitioner in Crl.O.P.No.23757 of 2025 dated 01.09.2025. He further submitted that the investigation has been completed.

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



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6. Considering the fact that the investigation has been completed and taking into account the period of incarceration, 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.15,000/- (Rupees Fifteen Thousand only)** with **two sureties**, each for a like sum to the satisfaction of the learned **Principal Special Court for Exclusive Trial of Cases under POCSO Act, Coimbatore**, 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 stay at Tiruppur and report before the Inspector of Police, Tiruppur Town Police Station daily at 10.30 a.m., for a period of four weeks, and thereafter as and when required for interrogation;

[c] the petitioner shall make himself available for interrogation by a Police Officer as and when required;



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[d] the petitioner shall not directly or indirectly cause any threat to the de facto complainant and witnesses;

[e] the petitioner to give an undertaking that if required for being identified by witnesses during investigation or for police custody beyond the first fifteen days, he shall comply to the directions as may be given by the Court in this regard;

[f] 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]**;

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

cda

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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 Principal Special Court for
Exclusive Trial of Cases under POCSO Act,
Coimbatore.
- 2.The Inspector of Police,
Podhanur Police Station,
Coimbatore City.
- 3.The Central Prison, Coimbatore.
- 4.The Public Prosecutor,
High Court of Madras.



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K.RAJASEKAR, J.

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