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Crl.O.P.No.26561 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.26561 of 2025

Rithick Kumar

... Petitioner/Accused

Vs.

The State rep by
The Inspector of Police,
Adiyamankottai Police Station
Dharmapuri District.
(Crime No.134 of 2025)

... Respondent

PRAYER : Criminal Original Petition filed under Section 483 of Bharatiya Nagarik Suraksha Sanhita, 2023, to enlarge the petitioner on bail in SC.No.215 of 2025 pending on the file of the Special Judge for Exclusive Trial of Cases under POCO Act, 2012, Dharmapuri, in Crime No.134 of 2025.

For Petitioner : Mr.D.Thirumoorthy

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



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ORDER

The petitioner, who was arrested and remanded to judicial custody on **24.06.2025** for the alleged offences punishable under **Section 96 of BNS Act, 2023 and Section 5(1) and 6(1) of Protection of Child from Sexual Offences Act, 2012, in Crime No.134 of 2025** on the file of the respondent police, seeks bail.

2. The case of the prosecution is that the victim girl is aged about 15 years and the offence is said to have taken place on 02.05.2025. The petitioner had visited the house of the victim girl in the absence of her parents and compelled her to marry him. Not left with that, he had also taken her to her friend's place at Coimbatore. A complaint has been lodged and an FIR has been registered. Hence, the case.

3. The learned counsel appearing for the petitioner states that 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, petitioner is aged about 19 years, 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, 2012, Dharmapuri** 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 the identity proofs to ensure their identity;

[b] the petitioner shall appear before the concerned Court daily at 10.30 a.m., for a period of three weeks and thereafter, on all hearing dates;

[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, 2012, Dharmapuri.

2.The Inspector of Police,
Adiyamankottai Police Station
Dharmapuri District.
(Crime No.134 of 2025)

3.The Superintendent,
District Jail, Dharmapuri.

4.The Public Prosecutor
High Court of Madras,
Chennai 600 104.



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K.RAJASEKAR, J.

dna

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