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Crl.O.P.No.26533 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.26533 of 2025

Jagadish Mandal

... Petitioner/Accused

Vs.

The State rep by
The Inspector of Police,
W-7, All Women Police Station
Anna Nagar
Chennai District.
(Crime No.29 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.29 of 2025 on the file of the respondent police.

For Petitioner : Mr.P.Muthamizhselvakumr

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 **28.07.2025** for the alleged offences punishable under Sections **7, 8 of POC SO Act, in Crime No.29 of 2025** on the file of the respondent police, seeks bail.

2. The allegation is that the petitioner is a honey seller and on the date of occurrence, the victim girl, aged about 16 years was sexually harassed by the petitioner by way of inappropriate touch on the private parts of the victim girl. Based on the complaint lodged by the defacto complainant, the petitioner was arrested. 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 the petitioner is a resident of Bihar and he is not in Rajasthan. He further reported that the investigation of the case is in a crucial stage and hence, 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 allegation is not penetrative sexual assault, 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 Court for Exclusive Trial of Cases under POCSO Act, Chennai**, and on further conditions that:

[a] the sureties shall affix their photographs and



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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 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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dna



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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 Court for Exclusive Trial of Cases under POCSO Act, Chennai.
- 2.The Inspector of Police,
W-7, All Women Police Station
Anna Nagar
Chennai District.
(Crime No.29 of 2025)
- 3.The Superintendent,
Central Prison, Puzhal.
- 4.The Public Prosecutor
High Court of Madras,
Chennai 600 104.



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K.RAJASEKAR, J.

dna

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