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Crl.O.P.No.26836 of 2025



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 26.09.2025

CORAM

THE HONOURABLE MR JUSTICE K.RAJASEKAR

Crl.O.P.No.26836 of 2025

Thinabandhu @ Dinabandhu Barik

... Petitioner

Vs.

The State rep.by
The Sub-Inspector of Police(Crime)
Grnad Bazzar Police Station
Puducherry.
(Crime No.210 of 2024)

... Respondent

PRAYER : Criminal Original Petition filed under Section 483 of Bharatiya Nagarik Suraksha Sanhita, 2023, to enlarge the petitioner on bail pending on the file of the Fast Track Court Exclusively to Deal with Offences under the POCSO Act at Puducherry in Spl.S.C.No.5 of 2025 in Crime No.210 of 2024.

For Petitioner : Mr.Prakash Adiapadam
for Mr.E.Anbarasan

For Respondent : Mr.M.V.Ramachandra Murthy
Additional Public Prosecutor
(Puducherry)



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ORDER

The petitioner, who was arrested and remanded to judicial custody on **06.11.2024** for the alleged offences punishable under Sections **137(2), Section 96 of BNS and Sec.6 of POCSO Act, 2012, in Crime No.210 of 2024** on the file of the respondent police, seeks bail.

2. The case of the prosecution is, one Ajita Rajib Ghose had given a complaint that her minor daughter, aged about 16 years was affected with personal disorder and was found missing. During the course of investigation, it came to light that the petitioner/accused along with others had committed aggravated sexual assault on the victim girl. Hence, the case.

3. The learned counsel appearing for the petitioner states that the petitioner is an innocent person and he has not committed any such offence as alleged by the prosecution. The petitioner is in judicial custody from 06.11.2024. He further submitted that he has been falsely implicated in this case and the petitioner is ready to abide by any stringent condition that may be imposed by this Court. He further submitted that the co-accused already



granted bail by this in Crl.O.P.No.10176 of 2025 dated 25.07.2025. Hence, he prayed for grant of bail to the petitioner.

4. The learned Additional Public Prosecutor (Puducherry) appearing for the respondent police reiterated the prosecution case and submitted that the statement of the victim girl under Section 183 of BNSS was recorded and the investigation was completed. Hence, he opposed grant of 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 fact that already investigation completed, final report filed and pending in Spl.S.C.No.5 of 2025 and the four persons were released on bail, 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

Fast Track Court Exclusively to Deal with Offences under the POCSO

Act at Puducherry 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 the0 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]**;



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

26.09.2025

dna

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 Fast Track Court Exclusively to Deal with Offences under the
POCSO Act, Puducherry.

2.The Sub-Inspector of Police(Crime)
Grnad Bazzar Police Station
Puducherry.
(Crime No.210 of 2024)

3.The Superintendent,
Central Prison, Kalapet, Puducherry.

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

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K.RAJASEKAR, J.

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