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Crl.O.P.No.27425 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED :03.10.2025

CORAM

THE HON'BLE MR. JUSTICE **N.SENTHILKUMAR**

Crl.O.P.No.27425 of 2025

Arumugam

... Petitioner

Vs.

The State Rep. by its the Inspector of Police,
Vanthavasi South Police Station,
Tiruvannamalai District.
(Crime No.77 of 2022)

... Respondent

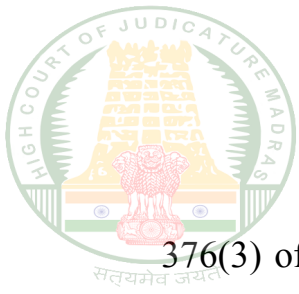
PRAYER: Criminal Original Petition filed under Section 483 of B.N.S.S., to
enlarge the petitioner on bail in Crime No.77 of 2025 pending investigation on
the file of the respondent Police.

For Petitioner : Mr.E.Sathiyaraj

For Respondent : Ms.V.J.Priyadarsana
Government Advocate(Crl. Side)

ORDER

The petitioner seeks bail in Spl.S.C.No.89 of 2023 in Crime No.77 of
2022 pending on the file of the learned Special Court (Under POCSO Act),
Tiruvannamalai for the offence punishable under Sections 363, 366, 376(2)(n),



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376(3) of IPC and Section 5(l), 5(j)(ii) of POCSO Act, 2012 and Section 9 of Prohibition of Child Marriage Act.

2. Learned counsel for the petitioner submitted that the petitioner is an accused facing trial in Spl.S.C.No.89 of 2023 on the file of Special Court (Under POCSO Act), Tiruvannamalai for the offence of sexual assault against a minor girl. He further submitted that since the petitioner was ill, he was unable to appear before the trial Court, and he was issued with the non-bailable warrant on 14.08.2025 and pursuant to the same, he was arrested on 21.08.2025. He also submitted that the petitioner will undertake that hereafter he will regularly appear before the trial court on all hearing dates and also stated that he is prepared to comply with any stringent conditions that may be imposed by this Court. Therefore, he prays for grant of bail to the petitioner.

3. Learned Government Advocate (Crl.Side) appearing for the respondent submitted that the case is pending from the year 2022 and hence he opposed for grant of bail to the petitioner.



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4. Heard the learned counsel appearing for the petitioner and the learned Government Advocate (Crl.Side) for the respondent Police and perused the materials available on record.

5. Considering the period of incarceration and also considering the undertaking given by the petitioner that he is ready to co-operate for speedy disposal of the trial, this Court is inclined to grant bail to the petitioner with certain conditions:

6. Accordingly, the petitioner is ordered to be released on bail on his executing a bond for a sum of **Rs.10,000/- (Rupees Ten Thousand only)** with two sureties, each for a like sum to the satisfaction of the **Special Court for Exclusive Trial of Cases under POCSO Act, Tiruvannamalai** and on further conditions that :-

[a] the sureties shall affix their photographs and Left Thumb Impression in the surety bond and the Magistrate may obtain a copy of their Aadhar card or Bank pass Book to ensure their identity;

[b] the petitioners shall report before the concerned Judicial Magistrate on every Monday to



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Friday at 10.30.a.m., and before the respondent police on every Saturday and Sunday at 10.30.a.m., until further orders;

[c] the petitioner shall report before the Trial Court, on all hearing dates without filing the petition under Section 317 of Cr.P.C., if any such application is filed, the trial Court shall dismiss the said application in the presence of the learned counsel appearing for the petitioner;

[d] the petitioner shall not abscond either during investigation or trial;

[e] the petitioner shall not tamper with evidence or witness either during investigation or trial;

[f] On breach of any of the aforesaid conditions, the learned Magistrate/Trial Court is entitled to take appropriate action against the petitioner in accordance with law as if the 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)AIR SCW 5560];***



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[g] If the accused thereafter absconds, a fresh FIR

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03.10.2025

sma/kmm

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 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 POCSO Act, Thiruvannamalai.

2. The Inspector of Police,
Vanthavasi South Police Station,
Tiruvannamalai District.

3. Central Prison, Vellore.

4. The Public Prosecutor,
High Court of Madras.



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N.SENTHILKUMAR, J.

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