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CrI.O.P.No.27469 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: **03.10.2025**

CORAM:

THE HON'BLE MR. JUSTICE N.SENTHILKUMAR

CrI.O.P.No.27469 of 2025

Naveen Rohan

... Petitioner

Versus

The State,
Rep. by The Inspector of Police,
Kuniyamuthur Police Station, Coimbatore.
(Crime No.295 of 2025)

... Respondent

PRAYER: Criminal Original Petition is filed under Section 482 of the Bharatiya Nagarik Suraksha Sanhita,(BNSS), 2023, to enlarge the petitioner on bail in the event of his arrest in Crime.No.295 of 2025 pending on the file of the Inspector of Police, Kuniyamuthur Police Station, Coimbatore.

For Petitioner : Mr. K. Balaji

For Respondent : Mr. S. Santhosh,
Government Advocate (Criminal Side)



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ORDER

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The petitioner, who apprehends arrest at the hands of the respondent police for the offences punishable under Sections 5(1) r/w 6 of the Protection of Children from Sexual Offences Act (POCSO) 2012, and Sections 343, 366, 376(3) of the Indian Penal Code (IPC), 1860, in Crime No.295 of 2025, on the file of the respondent police, seeks anticipatory bail.

2. The case of the prosecution is that the petitioner is a relative of the victim. It is alleged by the victim that the petitioner had allegedly abducted her and committed aggravated penetrative sexual assault on her. Hence, this case.

3. Learned counsel appearing for the petitioner submitted that the petitioner is an innocent person and he has been falsely implicated in this case. He further submitted that the petitioner has no connection with the offence as alleged by the prosecution and that he has been implicated only due to previous enmity between his family and that of the victim; and that the petitioner is ready to produce solvent sureties and to abide by any conditions that may be imposed by this Court and also undertakes to appear and to co-operate for the investigation, and sought for anticipatory



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bail to the petitioner.

4. The learned Government Advocate (Criminal Side) appearing for the respondent police while opposing for grant of bail to the petitioner, reiterated the prosecution case and on instruction submitted that the petitioner is aged about 32 years and the victim is aged about 17 years, and that the statement under Section 164 is yet to be recorded. He also submitted that the petitioner has no previous cases and the investigation is still pending.

5. Taking note of the facts and circumstances of the case, the nature of allegation against the petitioner, submissions made by the learned counsels on either side, the fact that the petitioner has no previous cases pending against him and since custodial interrogation of the petitioner is not required for the purpose of investigation, this Court is inclined to grant anticipatory bail to the petitioner with certain conditions.

6. Accordingly, the petitioner is ordered to be released on bail in the event of arrest or on his appearance, within a period of fifteen days from the date on which the order copy made ready, before **the learned Principal Special Judge for Exclusive Trial of Cases under POCSO**



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Act, Coimbatore, on condition that the petitioner shall execute 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 respondent police or the police officer who intends to arrest or to the satisfaction of the learned Magistrate concerned, failing which, the petition for anticipatory bail shall stand dismissed and on further condition that:

[a] the petitioner and 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 petitioner shall report before the respondent Police daily at 10:30 A.M., until further orders;

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

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

[e] 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 was released on bail by the learned Magistrate/Trial Court himself as laid down by the Hon'ble



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Supreme Court in P.K.Shaji vs. State of Kerala [(2005)AIR SCW 5560].

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

03.10.2025

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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 official website of this Court will be watermarked and will also have a QR code.**



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N.SENTHILKUMAR, J.

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To

- 1.The learned Principal Special Court for Exclusive
Trial of Cases under POCSO Act, Coimbatore.
- 2.The Inspector of Police,
Kuniyamuthur Police Station, Coimbatore.
(Crime No.295 of 2025)
- 3.The Public Prosecutor, High Court of Madras, Chennai – 104.

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