



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 04-11-2025

CORAM

THE HONOURABLE MRS.JUSTICE T.V.THAMILSELVI

CRL A No. 1584 of 2025

1. KUMAR

S/o Ranraj, No.3/22, Kurumbar Street,
Reddiyar Patti, Thuraiyur,
Tiruchirapalli-621001.

Appellant(s)

Vs

1. The State of TamilNadu
Deputy Superintendent of Police,
Thirupur.

2.The Inspector of Police
Avinasipalayam Police Station.

3.Deival
W/o. Azhagiri, 85-Pattatharasiyamman
Street, Velampatti, Pollikalipalyam,
Tiruppur.

Respondent(s)



PRAYER

To set aside the order dated 04.09.2025 made in Crl.M.P.No.342 of 2025 on the file of the Learned Sessions Maghalir Neethimandram FTC Mahila Judge, Thiruppur and to enlarge the Appellant on bail in Spl.S.C.No.163/2025 on the file of the Learned Sessions Magalir Neethimandram FTC Mahila Judge, in Crime No.02 of 2025 on the file of the 2nd respondent police.

For Appellant(s): Mr.B.Syed Aledulwakal
for M/s.S.Azhaguvel

For Respondent(s): Mr.V.Meganathan
Government Advocate (Crl.Side)

ORDER

The petitioner has filed this petition to set aside the order dated 04.09.2025 made in Crl.M.P.No.342 of 2025 on the file of the Learned Sessions Maghalir Needhimandram FTC Mahila Judge, Thiruppur and to enlarge the Appellant on bail in Spl.S.C.No.163/2025 on the file of the Learned Sessions Magalir Neethimandram FTC Mahila Judge, in Crime No.02 of 2025 on the file of the 2nd respondent police.

2. Notice was served to the defacto complainant, and the name was printed in the cause list. However, none appeared.



3. The learned counsel for the petitioner submitted that, the petitioner, has been falsely implicated in this case. The petitioner further submits that he is willing to abide by any conditions imposed by this Court.

4. The learned counsel for the prosecution submitted that all five accused are presently in prison, and the petitioner is arrayed as A1. The final report has been filed. He further submitted that the petitioner, along with the other accused, committed penetrative sexual assault on the victim girl, and therefore, he has been in custody from 02.01.2025. It was also submitted that the petitioner is involved in another case relating to kidnapping.

5. On perusal of the records, it appears that based on the complaint lodged by the mother of the victim girl, an FIR was registered in Crime No. 2 of 2025 against five accused persons. The investigation is completed and the final report has been filed under the provisions of the POCSO Act, the BNSS, and the SC/ST (Prevention of Atrocities) Act. As on date, the statement of the victim



girl has been recorded, and she is under the care and custody of her mother, the defacto complainant.

6. Accordingly, the order made in Crl.M.P.No.342 of 2025 dated 04.09.2025 passed by the learned Sessions Magalir Neethimandram FTC Mahila Judge, Thiruppur, is hereby set aside. This Criminal Appeal stands allowed.

7.The appellant is ordered to be released on bail on his execution of 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 learned Sessions Magalir Neethimandram FTC Mahila Judge, Thiruppur, 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 appellant shall **stay at Tiruchirappalli and sign before the Kattur Town Police Station, at 10.30 a.m., until further orders.**



[c] the appellant shall not abscond either during investigation or trial.

[d] the appellant shall not tamper with evidence or witness either during investigation or trial.

[e] On breach of any of the aforesaid conditions, the learned Magistrate/Trial Court is entitled to take appropriate action against the appellant in accordance with law as if the conditions have been imposed and the appellant 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]**.

[f] If the accused thereafter abscond, a fresh FIR can be registered under Section 229A IPC.

(g) The appellant shall not to have any communication, either directly or indirectly, with the victim girl or her family members.

8. Further, considering the facts of the case, this Court is inclined to refer the matter to the Victim Compensation Scheme. Accordingly, the District Legal Services Authority of Tripipur has referred the matter to the District Collector, Tripipur, under the said Scheme. The District Collector is directed to provide a



compensation of Rs.1,50,000/-, to the victim, within a period of twelve weeks
from the date of receipt of a copy of this order.

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04-11-2025

Index: Yes/No

Speaking/Non-speaking order

Internet: Yes

Neutral Citation: Yes/No

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To
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- 1.The State of TamilNadu
Deputy Superintendent of Police,
Thirupur.
- 2.The Inspector of Police
Avinasipalayam Police Station.
- 3.Deival
W/o. Azhagiri, 85-Pattatharasiyamman
Street, Velampatti, Pollikalipalyam,
Tiruppur.
- 4.The Sessions Maghalir
Neethimandram FTC Mahila Judge,
Thiruppur.
- 5.The Superintendent,
Central Prison, Coimbatore.
- 6.The Public Prosecutor,
High Court of Madras, Chennai.



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T.V.THAMILSELVI J.
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