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CRL OP No. 28054 of 2025



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 14-10-2025

CORAM

THE HONOURABLE MR.JUSTICE K.RAJASEKAR

CRL OP No. 28054 of 2025

KAVIL

Petitioner(s)

Vs

State Rep. by The Inspector of Police
AWPS, Ooty Rural Police Station,
Nilgiris District. Crime No. 10/2025.

Respondent(s)

PRAYER Criminal Original Petition filed under Section 483 of Bharatiya Nagarik Suraksha Sanhita, 2023, to_enlarged the petitioner on bail in Spl.S.C.No. 72/2025 in Crime no. 10/2025 on the filed in Session Judge Magalir Neethimandram, Nilgiris District at Ooty.

For Petitioner(s): Mr.S.Prabu

For Respondent(s): Mr. A. Gopinath
Government Advocate (Crl. Side)



ORDER

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The petitioner, who was arrested and remanded to judicial custody on 05.08.2025, for the offences punishable under Section 65(2), 127(2), 115(2), 351(3) of BNS Act 2023, 5(l), 5(n), 5(m) r/w 6 of POCSO Act, in Crime No.10 of 2025, registered on the file of the respondent police, seeks bail.

2.The allegation against this petitioner is that the petitioner who is the relative of the victim girl had committed sexual assault on the victim girl and it was revealed during the awareness camp taken place in the school.

3.The learned counsel for the petitioner submits that the allegation made by the victim girl is alleged to have happened while she was studying in third standard i.e., three years before the lodging the complaint and it is not the case of penetrative sexual assault and therefore he prays for granting the bail to the petitioner.

4.The learned Government Advocate (Crl.side) appearing for the



respondent police reported that the petitioner is 18 years old and he is in custody from 05.08.2025 and the investigation in this case is concluded.

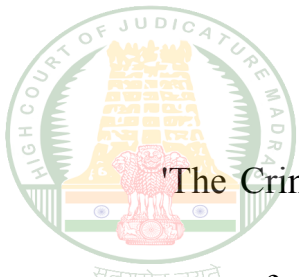
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5. Heard both sides and perused the materials available on record.

6. Considering the facts and circumstances of the case, the period of incarceration undergone by the petitioner, the age of the victim and also the fact that the occurrence were taken place three years before registration of the FIR, 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.15,000/- (Rupees Fifteen Thousand only)** with **two sureties**, for a like sum to the satisfaction of the **learned Sessions Judge, Mahila Neethimandram Fast Tract Mahila Court, Udhagamandalam** 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 the identity proofs to ensure their identity;

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[b] the petitioner shall stay at Coimbatore and report before the Judicial Magistrate No.I, Coimbatore everyday at 10:30 a.m., until further orders;

[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.

14-10-2025

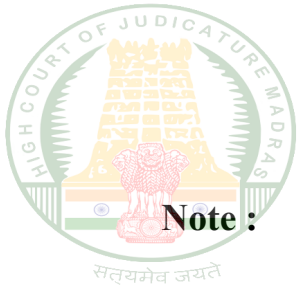
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Index: Yes/No

Speaking/Non-speaking order

Internet: Yes

Neutral Citation: Yes/No



Note :

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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
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- 1.State Rep. by The Inspector of Police
AWPS, Ooty Rural Police Station,
Nilgiris District. Crime No. 10/2025.
- 2.The Sessions Judge, Mahila
Neethimandram Fast Tract Mahila
Court, Udhagamandalam.
- 3.The Ooty Sub Jail.
- 4.The Public Prosecutor
High Court of Madras.



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K.RAJASEKAR J.
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