



WEB COPY

CRL OP No. 27998 of 2025



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 24-10-2025

CORAM

THE HONOURABLE MR.JUSTICE K.RAJASEKAR

CRL OP No. 27998 of 2025

Ekramul Ali

Petitioner(s)

Vs

The State rep by Inspector of Police

Kanakamma chatram Police Station, Respondent(s)

Tiruvallur. Crime No.143 of 2025.

PRAYER Criminal Original Petition filed under Section 483 of Bharatiya Nagarik Suraksha Sanhita, 2023, to_enlarge the petitioner on bail in Crime No.143 of 2025 on the file of the respondent pending investigation.

For Petitioner(s): Mr.P. Ashokumar

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

ORDER

The petitioner, who was arrested and remanded to judicial custody on 31.07.2025, for the offences punishable under Section 126(2), r/w under Sections 18, 8 of POCSO Act 2012, in Crime No.143 of 2025, registered on the file of the respondent police, seeks bail.



WEB COPY

2. The case of the prosecution is that on 31.07.2025, the victim girl went to relieve herself in a secluded area near Kanakammpal Chathiram Bipas Road. At that time, the accused suddenly closed the victim's mouth. The victim resisted and shouted, prompting the accused to flee the spot. Immediately the victim returned home and disclosed the incident to her mother and thereafter, her mother, along with the victim's elder sister and junior paternal uncle, went to the spot, identified the accused, apprehended him, and handed him over to the K.K.Chathiram police and accordingly the respondent police registered a case against the petitioner.

3. The learned Counsel for the petitioner submits that the petitioner is an innocent person and he has been falsely implicated in this case. He further submit that the petitioner is no way connected with the alleged offence. He also submits that the petitioner has been suffering incarceration from 31.07.2025. He further submits that it is not the case of penetrative sexual assault and hence, he seeks to grant bail to the petitioner.



4. The learned Government Advocate (Crl. Side) appearing for the respondent while opposing the bail to the petitioner reiterated the prosecution case and stated that the statement of the victim is also recorded; and that the investigation of this case is completed and final report filed in Spl.S.C.No.226 of 2025 on the file of the Special Court for Exclusive Trial of cases under POCSO Act, Tiruvallur.

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

6. Considering the facts and circumstances of the case, though in the statement of the victim girl, various incidents has been narrated against the petitioner, it is not the case of penetrative sexual assault and the fact that the investigation of this case is completed and the final report also filed and the period of incarceration undergone by the petitioner, 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



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 Mahila Court, Tiruvallur* 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;

[b] **the petitioner shall report before the concerned Court everyday at 10:30 a.m., for a period of three weeks and thereafter as and when required for interrogation;**

[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.

WEB COPY

24-10-2025

gbi

Index: Yes/No

Speaking/Non-speaking order

Internet: Yes

Neutral Citation: Yes/No

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
WEB COPY

- 1.The State rep by Inspector of Police
Kanakamma chatram Police Station,
Tiruvallur. Crime No.143 of 2025.
- 2.The Mahila Court, Tiruvallur
- 3.The Central Prison-II, Puzhal,
Chennai.
- 4.The Public Prosecutor
High Court of Madras.



WEB COPY

CRL OP No. 27998 of 2025



K.RAJASEKAR J.
gbi

**CRL OP No. 27998 of
2025**

24-10-2025