



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: **25.10.2025**

CORAM :

THE HON'BLE MR. JUSTICE K. RAJASEKAR

Crl.O.P.No.29027 of 2025

Vijay

... Petitioner

-VS-

State Rep by,
The Inspector of Police,
Pachal Police Station,
Tiruvannamalai District.
(Crime No.120 of 2025)

... Respondent

Prayer:- Criminal Original Petition filed under Section 483 of BNSS, pleaded to enlarge the petitioner on bail pending investigation in Crime No. 120 of 2025, on the file of the respondent police.

For Petitioner : Mr.P.M.Jayachandran

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



ORDER

The petitioner, who was arrested and remanded to judicial custody on 12.06.2025, for the alleged offence punishable under Sections 87, 64(2)(m) of BNS act and section 5(1), 6(1) of the POCSO Act 2012 in Crime No.120 of 2025, on the file of the respondent police, seeks bail.

2. The allegation against the petitioner is that the victim girl aged about 17 years and he developed acquaintance with her and taken her to Ooty and taking advantage of relationship, committed aggravated penetrative sexual assault against her will. Hence the complaint has been lodged. Later she was rescued and the petitioner was arrested.

3. Learned counsel appearing for the petitioner submitted that the petitioner is aged about 23 years and due to victim's voluntary request, both went to Ooty and they both returned back and the petitioner was arrested. He further submitted that the petitioner is ready to abide by any conditions imposed by this Court. Hence, he prayed for grant of bail to the petitioner.

4. Learned Government Advocate (Crl.Side) appearing for the respondent police reported that investigation in this case is completed and final report is filed and now the case is assigned in Spl.S.C.No.210 of 2025 on the file of the POCSO Court. Hence, he opposed for grant of bail to the petitioner.



5. Heard both sides and perused the materials available on record including the First Information Report.

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6. I have gone through the statement of the victim and the stage of the case and I am inclined to grant bail to the petitioner, subject to certain conditions.

7. Accordingly, the petitioner is ordered to be released on bail on his executing a bond for a sum of **Rs.20,000/- (Rupees Twenty Thousand only)** with two sureties, each for a like sum to the satisfaction of the *learned 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 petitioner shall stay at Trichy and report before the Palakarai Police Station daily at 10.30 a.m., for a period of four weeks.

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

[d] the petitioner shall not tamper with the 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 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];

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

[g] The petitioner shall not visit the jurisdiction limit where the victim is residing.

25.10.2025

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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 the 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 under POCSO Act,
Tiruvannamalai.

2.The Inspector of Police,
Pachal Police Station,
Tiruvannamalai District..

3.The Superintendent of Police,
Sub Jail, Tiruvannamalai.

4.The Public Prosecutor,
High Court, Madras.



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Crl.O.P.No.2902



K. RAJASEKAR, J.

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