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Crl.O.P.No.3016



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: **06.11.2025**

CORAM :

THE HON'BLE MR. JUSTICE K. RAJASEKAR

Crl.O.P.No.30162 of 2025

Sebasthiyaraj

... Petitioner

-VS-

State Rep by,
The Inspector of Police,
All Women Police Station, Nannilam,
Thiruvarur District.
(Crime No.23 of 2025)

... Respondent

Prayer:- Criminal Original Petition filed under Section 483 of BNSS, pleaded to enlarge the petitioner on bail in Crime No.23 of 2025 pending investigation on the file of the Respondent police.

For Petitioner : Mr.T.Muruganantham

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

**ORDER**

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The petitioner, who was arrested and remanded to judicial custody on 20.07.2025, for the alleged offence punishable under Sections 5(l), 5(j)(ii), 5(n) r/w Section 6 of POCSO Act in Crime No.23 of 2025, on the file of the respondent police, seeks bail.

2. The petitioner has committed penetrative sexual assault on the victim girl aged about 16 years and subsequently based on the complaint lodged by the family members, the FIR registered and the petitioner was arrested. 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 would further submit that the petitioner was arrested and he is in judicial custody from 20.07.2025 and is ready to abide by any conditions that may be 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 submitted that the petitioner is the sole accused, victim girl's statement



under Section 164 of Cr.P.C., recorded and the investigation is concluded and the charge sheet is also filed and the same is not taken on file. Hence, he strongly opposed for grant of bail to the petitioner.

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

6. Considering the submissions of the learned counsel on either side, the investigation is concluded and also that the petitioner is in custody from 20.07.2025, and the period of incarceration undergone by the petitioner, this Court is 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 District Fast Track Mahila Court, Tiruvarur*, 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;



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[b] the petitioner shall stay at Coimbatore for a period of one month and the petitioner shall not enter into the jurisdictional limit were the victim girl is residing;

[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.

06.11.2025

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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 District Fast Track Mahila Court, Tiruvarur.
- 2.The Inspector of Police,
All Women Police Station, Nannilam,
Thiruvarur District.
- 3.The District Prison, Tiruvarur.
- 4.The Public Prosecutor,
High Court, Madras.



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K. RAJASEKAR, J.

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