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Crl.O.P.No.28611 of 2025



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 17-10-2025

CORAM

**THE HONOURABLE MR JUSTICE K. RAJASEKAR**

**CRL OP NO.28611 of 2025**

Mukilan

... Petitioner/ Accused

Vs

The State rep. by,  
The Inspector of Police,  
All Women Police Station,  
Sethiyathope.  
(Crime No.32 of 2025)

... Respondent

**PRAYER :** Criminal Original Petition filed under Section 483 of Bharatiya  
Nagarik Suraksha Sanhita, 2023, to grant bail to the petitioner/accused in  
Crime No.32 of 2025 on the file of the respondent police.

**For Petitioner(s)** : Mr. J. Chandran Sundhar Sashi Kumar  
for Mr. J. Baranidharan

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

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## **ORDER**

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The petitioner, who was arrested and remanded to judicial custody on 07.09.2025 for the offences punishable under Sections 7, 8, 9(f), 10 of POCSO Act, r/w. 87, 127(2) of BNS in Crime No.32 of 2025, registered on the file respondent police, seeks bail.

2. The case of the prosecution is that on 15.08.2025 at about 08:30 p.m., while the independence day celebration was going on in the school, the accused/ petitioner, who is the teacher in the said school had called the victim girl, who is studying XI standard and sexually assaulted her. Hence, this case.

3. The learned counsel appearing for the petitioner submitted that the petitioner has been falsely implicated and he is in custody since 07.09.2025. He also submitted that it is not the case of penetrative sexual assault; and that the petitioner is ready to abide by any conditions that may be imposed by this Court and sought for 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 recorded; and that the investigation of this case is not yet completed.

5. I have considered the submissions made on both sides and perused the materials available on record, including the statement of the victim girl.

6. Considering the facts of the case, though in the statement of the victim girl, various facts has been narrated, it is not the case of penetrative sexual assault 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 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 Principal Special Court for Exclusive Trial of Cases under POCSO Act, Cuddalore** and on further conditions that:



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[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;

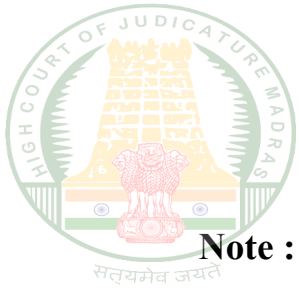
**[b] the petitioner shall stay at Erode and report before the learned Judicial Magistrate - I, Erode daily at 10:30 a.m., until further orders. It is made clear that the petitioner shall not enter into the jurisdictional limit of the respondent police;**

[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.

**17.10.2025**

stn



**Note :**

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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 Principal Special Court for Exclusive Trial of Cases under POCSO Act, Cuddalore.
2. The Judicial Magistrate - I, Erode.
3. The Inspector of Police,  
All Women Police Station,  
Sethiyathope.  
(Crime No.32 of 2025)
4. The Superintendent,  
Central Prison, Cuddalore.
5. The Public Prosecutor,  
High Court of Madras.



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**K. RAJASEKAR, J.**

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