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Crl.O.P.No.29855 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

**DATED : 03.11.2025**

CORAM

**THE HONOURABLE MR. JUSTICE K.RAJASEKAR**

**Crl.O.P.No.29855 of 2025**

Kalimuthu

... Petitioner

Vs.

The State represented by  
The Inspector of Police,  
Udumalpet Police Station,  
Tiruppur District.  
(Crime No.477 of 2025)

... Respondent

**PRAYER :** Criminal Original Petition filed under Section 483 of Bharatiya  
Nagarik Suraksha Sanhita, 2023, to enlarge the Petitioner/Accused on bail in  
Crime No.447 of 2025 on the file of the respondent police.

For Petitioner : Mr.B.Kumarasamy

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

**ORDER**

The petitioner, who was arrested and remanded to judicial custody  
on 01.08.2025, for the offence punishable under Section Girl Missing @  
137(b), 127(2), 351(3) of BNS Act and Section 5(l) read with Section 6 of  
POCSO Act, 2012, and Section 9 of PCM Act, in Crime No.477 of 2025, on



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the file of the respondent Police, seeks bail.

2. The case of the prosecution is that the petitioner aged about 40 years, kidnapped a girl who was studying in the XI standard, confined her at his residence, and subsequently committed aggravated penetrative sexual assault upon her. Thereafter, a complaint was lodged by the parents of the victim, following which the victim was rescued and the petitioner was arrested. Hence, the complaint.

3. The learned counsel appearing for the petitioner submitted that the investigation was completed and the final report has been filed. He further submitted that the petitioner has been in custody since 01.08.2025. Hence, he prays to grant bail to the petitioner.

4. The learned Government Advocate (Crl.Side) appearing for the respondent police opposed the grant of bail to the petitioner, reiterating the prosecution case. He submitted that the investigation has now been completed and the final report has been filed by way of e-filing.



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5. I have carefully perused the materials available on record, it is seen that this Court had earlier dismissed the bail application filed by the petitioner in Crl.O.P.No.26043 of 2025 dated 06.10.2025 on the ground that the investigation in this case was not yet completed.

6. Considering the nature of the allegations, the fact that the investigation has been completed and the final report filed, and taking into account the period of incarceration, 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.25,000/- (Rupees Twenty Five Thousand only)** with **two sureties**, each for a like sum to the satisfaction of the learned **Sessions, Magalir Neethimandram (Fast Track Mahila Court, Tiruppur)**, 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 report before the concerned Court daily at 10.30 a.m., for a period of three weeks. It is made clear that the petitioner shall not enter the area where the victim resides;**

[c] the petitioner shall make himself available for interrogation by a Police Officer as and when required;

[d] the petitioner shall not directly or indirectly cause any threat to the de facto complainant and witnesses;

[e] the petitioner to give an undertaking that if required for being identified by witnesses during investigation or for police custody beyond the first fifteen days, he shall comply to the directions as may be given by the Court in this regard;

[f] 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]**;

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

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cda



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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 Sessions, Magalir Neethimandram  
(Fast Track Mahila Court, Tiruppur).
- 2.The Inspector of Police,  
Udumalpet Police Station,  
Tiruppur District.
- 3.The Central Prison, Coimbatore.
- 4.The Public Prosecutor,  
High Court of Madras.



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**K.RAJASEKAR, J.**

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