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Crl.O.P.No.2924



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: **28.10.2025**

CORAM :

THE HON'BLE MR. JUSTICE K. RAJASEKAR

Crl.O.P.No.29246 of 2025

Vadivel

... Petitioner

-VS-

State Rep by,
The Inspector of Police,
Thudiyalur AWPS Police Station,
Coimbatore District.
(Crime No.15 of 2023)

... Respondent

Prayer:- Criminal Original Petition filed under Section 483 of BNSS, pleaded to enlarge the petitioner on bail in Spl.S.C.No.05 of 2024 on the file of Principal Special Court for Exclusive Trial of cases under POCSO Act at Coimbatore in Crime No.15 of 2023 on the file of the respondent police.

For Petitioner : Mr.R.Subramanian

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



ORDER

The petitioner, who was arrested and remanded to judicial custody on 13.02.2025, for the alleged offence punishable under Sections 9(m), 9(n), r/w 10 of POCSO Act 2012 and Section 506(i) of IPC in Crime No.15 of 2023 on the file of the respondent police, seeks bail.

2. The case of the prosecution is this is a case of jumped bail. The petitioner was originally granted bail by the trial Court in Crl.M.P.No.1313 of 2023 dated 18.10.2023 and he was ordered to be released on bail on 09.11.2023 (own bond). Subsequently, trial Court issued NBW against the petitioner on 05.11.2024 due to his absence before the trial Court. The petitioner did not appear before the trial due to health issues and lack of awareness of the Court proceedings. Thereafter, NBW executed on 13.02.2025. Hence, the case.

3. Learned counsel appearing for the petitioner submitted that the petitioner is regularly appeared in the trial Court and he was absent for only one hearing for his ill-health and and based on NBW he was arrested on 13.02.2025 and he 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 in this case the next hearing date is 29.10.2025 and posted for examination and the petitioner was absconded, NBW issued and arrested,



after arrest out of 18 witnesses already 16 witnesses completed. He further submitted that the petitioner / accused appearing regularly before the 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. Considering the fact that the petitioner was earlier granted bail and regularly appearing and NBW was issued on 13.02.2025. I am of the view that the petitioner is entitled for bail.

6. 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 at Coimbatore*, 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 report before the trial Court daily at 10.30 a.m., for a period of three weeks and thereafter all the hearing dates he must appear before the trial Court;



[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.

28.10.2025

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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



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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 at Coimbatore.
- 2.The Inspector of Police,
Thudiyalur AWPS Police Station,
Coimbatore District.
- 3.The Central Prison, Coimbatore.
- 4.The Public Prosecutor,
High Court, Madras.

K. RAJASEKAR, J.



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