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Crl.O.P.No.29148 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 27.10.2025

CORAM

THE HONOURABLE MR. JUSTICE K.RAJASEKAR

Crl.O.P.No.29148 of 2025

Selvaraj

... Petitioner

Vs.

The State represented by
The Inspector of Police,
Kovilpalayam Police Station,
Coimbatore.
(Crime No.322 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.322 of 2025 on the file of the respondent police.

For Petitioner : Mr.K.Suresh Babu

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

ORDER

The petitioner, who was arrested and remanded to judicial custody
on 25.09.2025, for the offence punishable under Sections 115(2), 351(2) of
BNS, 2023, and Section 75 and 82(1) of the Juvenile Justice (Care and
Protection of Children) Act, 2015 (JJ Act), in Crime No.322 of 2025,



Crl.O.P.No.29148 of 2025

registered on the file of the respondent, seeks bail.
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2. The case of the prosecution is that the petitioner, who is the Manager of a Child Care Institution, joined hands with the other accused and attacked the children, causing injuries. Hence, the complaint.

3. The learned counsel appearing for the petitioner submitted that the petitioner has been running the home for a long period and that a false complaint has been lodged with the instigation of certain children. He further submitted that the petitioner is ready to cooperate with the investigation. Hence, he prays for grant of bail to the petitioner.

4. Learned Government Advocate (Crl.Side) appearing for the respondent police reiterated the prosecution case and submitted that the investigation in this case has not yet been completed. It was further submitted that 9 children have stated that the petitioner attacked them and caused injuries. However, the petitioner has no previous cases. Hence, he opposed the grant of bail.



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CrI.O.P.No.29148 of 2025

5. Heard both sides and perused the materials available on record.

6. Considering the nature of the allegations, the fact that the petitioner has no previous criminal antecedents, 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.20,000/- (Rupees Twenty Thousand only)** with **two sureties**, each for a like sum to the satisfaction of the learned **Judicial Magistrate, Annur**, 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;

[b] the petitioner shall report before the respondent police daily at 10.30 a.m., for a period of four weeks, and thereafter as and when required for interrogation;



CrI.O.P.No.29148 of 2025

[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.

27.10.2025

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CrI.O.P.No.29148 of 2025

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 Judicial Magistrate, Annur.
- 2.The Inspector of Police,
Kovilpalayam Police Station,
Coimbatore.
- 3.The Central Prison, Coimbatore.
- 4.The Public Prosecutor,
High Court of Madras.



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Crl.O.P.No.29148 of 2025

K.RAJASEKAR, J.

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Crl.O.P.No.29148 of 2025

27.10.2025