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Crl.OP.No. 29750 of 2025



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 03.11.2025

CORAM

THE HONOURABLE MR.JUSTICE K.RAJASEKAR

CRL OP NO. 29750 of 2025

Sathiyaraj

Petitioner

Vs

The State rep. by

The Inspector of Police

Tirupattur All Women Police Station

Tirupattur, Tirupathur District

Crime No. 29 of 2025.

Respondent

PRAYER : Criminal Original Petition filed under Section 482 of Bharatiya Nagarik Suraksha Sanhita, 2023, to enlarge the petitioner on bail in the event of his arrest pending investigation in Cr.No.29 of 2025 on the file of the respondent police.

For Petitioner : Mr.Vinoth Kumar

For Respondent : Mr.S.Udayakumar

Government Advocate (Criminal Side)

ORDER

The petitioner, who apprehends arrest at the hands of the respondent police for the offences punishable under Sections 5(n), 5(1), 5(j)(ii) and r/w Section 6 of Protection of Child from Sexual Offences Act, 2012 and under Section 9 of Prohibition of Child Marriage Act, 2006 in Crime No. 29 of 2025, on the file of the respondent Police, seeks anticipatory bail.



2. The case of the prosecution is that the petitioner is the maternal uncle of victim minor girl. He had lured the victim who is aged about 14 years under the pretext of marrying her, had penetrate sexual intercourse with her on several occasions and now, she became pregnant. Hence the case.

3. The learned counsel for the petitioner submits that the petitioner is a maternal uncle of victim girl and he is an innocent person and he has been falsely implicated in this case. He submits that he has not committed any offence as alleged by the prosecution. He also submits that the petitioner is ready to abide by any conditions that may be imposed by this Court and ready to furnish sufficient solvent sureties for his release. Hence, he prays for grant of anticipatory bail to the petitioner.

4. The learned Government Advocate (Criminal side) for the respondent police, reiterated the prosecution case and submits that investigation has been completed and final report has also been filed. However, he opposed to grant anticipatory bail to the petitioner.

5. Heard the learned counsels and perused the materials available on



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6. Considering the fact that investigation has been completed and final report has also been filed in this case and the submissions made by learned counsels on either side this Court is inclined to grant anticipatory bail to the petitioner with certain conditions.

7. Accordingly, the petitioner is ordered to be released on bail in the event of arrest or on his appearance, within a period of fifteen days from the date on which the order copy made ready, before the learned **The Special Judge for Exclusive Trial of Cases under POCSO Act, Tirupattur**, on condition that the petitioner shall execute 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 Magistrate concerned and on further condition that:

(a) If the petitioner fails to surrender before the concerned Magistrate, within a period of fifteen days from the date of receipt of a copy of this order, this order shall stand automatically cancelled;

[b] the sureties shall affix their photographs and



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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;

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

[d] 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]**;

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

MSM

03.11.2025

To

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1. The Special Judge for Exclusive
Trial of Cases under POCSO Act, Tirupattur,

2. The Inspector of Police
Tirupattur All Women Police Station
Tirupattur, Tirupathur District
Crime No. 29 of 2025.

3. The Public Prosecutor,
High Court of Madras.



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K.RAJASEKAR, J.

MSM

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