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Crl.O.P.No.29810 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.29810 of 2025

Mr.Chinnasamy

... Petitioner

Vs.

The State represented by
The Inspector of Police,
Indur Police Station,
Dharmapuri District.
(Crime No.122 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.122 of 2025 on the file of the respondent police.

For Petitioner : Mr.B,Hariharan

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

ORDER

The petitioner, who was arrested and remanded to judicial custody
on 03.10.2025, for the offence punishable under Sections 5(l), 6(l) of
POCSO Act in Crime No.122 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 developed a relationship with the victim girl, aged about 13 years, and committed aggravated penetrative sexual assault. Hence, the complaint.

3. The learned counsel appearing for the petitioner submitted that the petitioner is aged about 19 years and that he was invited by the victim girl to her house. While returning to his residence, the petitioner was apprehended by the neighbours, during which it came to light that he was in a relationship with the victim girl. He further submitted that the petitioner has been in custody since 03.10.2025. Hence, he prays to grant bail to the petitioner.

4. Learned Government Advocate (Crl.Side) appearing for the respondent police opposed the grant of bail to the petitioner, reiterating the prosecution case and submitted that the investigation in this case has not yet been completed.

5. I have carefully perused the materials available on record, including the statements of the victim, it is revealed that the petitioner had



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gone to the house of the victim girl and, during his return, the neighbours intercepted him, leading to the disclosure of the alleged relationship between the petitioner and the victim girl.

6. Considering the nature of the allegations, the ages of both the petitioner and the victim, 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.15,000/- (Rupees Fifteen Thousand only)** with **two sureties**, each for a like sum to the satisfaction of the learned **Sessions Judge, Special Court for Exclusive Trial of Cases under POCSO Act, Dharmapuri**, 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



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four weeks, and thereafter as and when required for interrogation. 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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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 Judge, Special Court for Exclusive Trial of Cases under POCSO Act, Dharmapuri.
- 2.The Inspector of Police,
Indur Police Station,
Dharmapuri District.
- 3.The Sub-Jail, Dharmapuri.
- 4.The Public Prosecutor,
High Court of Madras.



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K.RAJASEKAR, J.

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