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Crl.OP.No31545 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 21.11.2025

CORAM

THE HONOURABLE MR JUSTICE **K.RAJASEKAR**

Crl.O.P.No.31545 of 2025

Peer Mohammed

... Petitioner

Vs.

State rep by

The Inspector of Police

All Women Police Station,

Tiruvarur.

... Respondent

(Cr.No.29 of 2025)

PRAYER : Criminal Original Petition filed under Section 483 of Bharatiya Nagarik Suraksha Sanhita, 2023, to enlarge the petitioner on bail pending investigation in Cr.No.29 of 2025 on the file of the respondent police.

For Petitioner : Mr.R.Prabhakaran

For Respondent : Mr.A.Gopinath

Government Advocate (Crl. Side)

ORDER

The petitioner, who was arrested and remanded to judicial custody on 14.08.2025, for the alleged offence punishable under Section 7 r/w 8 of

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POCSO Act and in Cr.No.29 of 2025 on the file of the respondent police,
seeks bail.

2. The case of the prosecution is that the petitioner is step father of the victim girl. While the victim girl was alone in her home due to sickness, the petitioner herein had attempted to commit sexual assault on the victim girl. Immediately, the victim had informed to her family members. Subsequently, the case has been registered against the petitioner. Hence, the present case.

3. The learned counsel appearing for the petitioner submitted that the petitioner is in custody from 14.08.2025. He further submitted that after completion of investigation, final report has been filed and it is not a case of penetrative sexual assault and prayed for grant of bail to the petitioner.

4. The learned Government Advocate (Crl.Side) appearing for the respondent police reiterated the prosecution case and reported that after completion of investigation, final report has been filed and the same not yet taken on file. Hence, he opposed for grant of bail to the petitioner.

5. I have gone through the materials placed on record and the



statement of the victim girl.

6. Considering the period of incarceration undergone by the petitioner and it is not a case of penetrative sexual assault final report also filed, I am inclined to grant bail to the petitioner, subject to 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**, for a like sum to the satisfaction of the learned **Sessions Judge, Fast Track Mahila Court, Tiruvarur** 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 Sessions Judge, Fast Track Mahila Court, Tiruvarur daily on all working days at 10.30 a.m for a period of**



three weeks and thereafter as and when required for interrogation;

[c] The petitioner shall cooperate fully with the investigation, including submitting himself to any medical examination as and when required by the Investigating Officer;

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

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

[f] 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;

[g] 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



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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]**;

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

21.11.2025

Vv

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.



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To

1. The Sessions Judge, Fast Track Mahila Court, Tiruvarur

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2. The The Inspector of Police
All Women Police Station,
Tiruvarur.

3. The Nagapattinam District Prison

5. The Public Prosecutor,
High Court of Madras.



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K.RAJASEKAR, J.

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