



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 10-11-2025

CORAM

THE HONOURABLE MR.JUSTICE K.RAJASEKAR

CRL OP No. 30544 of 2025

Senthilkumar

Petitioner(s)

Vs

State Rep by, Sub Inspector of police,
Pudhupalayam Police Station,
Pudhupalayam , Chengam Taluk,
Tiruvannamalai District.
Cr.No.121/2025.

Respondent(s)

PRAYER Criminal Original Petition filed under Section 482 of Bharatiya
Nagarik Suraksha Sanhita, 2023, to enlarge the petitioner on bail in
Cr.No.121/2025 on the file of Pudhupalayam Police Station, Pudhupalayam,
Chengam Taluk, Tiruvannamalai District.

For Petitioner G.A.Girijavenkataramanan

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

**ORDER**

The petitioner, who was arrested and remanded to judicial custody on 18.08.2025 by the respondent police in connection with Crime No.121 of 2025 for the offences punishable under Sections 62(2) (m) of BNS and Section 5(1), 5(j)(ii) r/w 6(1) of POCSO Act, 2012 and Section 9 of Child Marriage Act, 2006, seek bail.

2.The case of the prosecution is that the victim is a minor, and the accused, aged 48 years, is a married man residing in the same village. He approached the victim girl, with bad intentions but she refused his advances. However, the accused continuously harassed her, and with sexual intent, he kidnapped the victim, took her to Coimbatore, married her, and committed aggravated penetrative sexual assault on her. Hence, the present case.

3.The learned counsel for the petitioner submitted that the petitioner is innocent and has been falsely implicated in the case. He further submitted that the petitioner has no connection with the alleged offence and therefore prayed



for the grant of bail.

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4. Earlier this Court dismissed the bail application filed by the petitioner in Crl OP No. 27758 of 2025 dated 13.10.2025 for the following reasons:

“5. Considering the nature of the gravity of the offence and considering the investigation is still at the initial stage, this Court is not inclined to grant bail to the petitioner, as there is no change in the circumstances of the case.”

5. The learned Government Advocate (Crl.Side) for the respondent police reported that the investigation has now been concluded and the final report has been filed, though it has not been taken on record. He also submitted that the Section 183 of BNSS statement of the victim girl has been recorded.

6. Considering the facts and circumstances of the case, fact that the completion of investigation, the statements recorded from the victim girl under Section 183 of BNSS, and the period of incarceration already undergone by the petitioner, this Court is 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.20,000/- (Rupees Twenty Thousand only)** with **two sureties each**, for a like sum to the satisfaction of the **learned Judicial Magistrate, Chengam, Tiruvannamalai District** 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 stay at Nagapattinam and report before the learned Judicial Magistrate No.I, Nagapattinam, daily at 10:30 a.m., for a period of two months and thereafter, as and when required for interrogation; It is made clear that the petitioner shall not enter into the jurisdictional limit of the respondent police.**

[c] 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



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forementioned 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]**;

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

10-11-2025

gbi

Index: Yes/No

Speaking/Non-speaking order

Internet: Yes

Neutral Citation: Yes/No

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
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- 1.State Rep by, Sub Inspector of police,
Pudhupalayam Police Station,
Pudhupalayam , Chengam Taluk,
Tiruvannamalai District.
Cr.No.121/2025.
- 2.The Judicial Magistrate, Chengam,
Tiruvannamalai District.
- 3.The Central Prison, Vellore.
- 4.The Public Prosecutor
High Court of Madras.



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K.RAJASEKAR J.
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