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Crl.O.P.No.3024



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 06.11.2025

CORAM :

THE HON'BLE MR. JUSTICE K. RAJASEKAR

Crl.O.P.No.30243 of 2025

Gokulkumar

... Petitioner

-VS-

State Rep by,
The Inspector of Police,
All Women Police Station, Gobichettypalayam,
Erode District.
(Crime No.26 of 2025)

... Respondent

Prayer:- Criminal Original Petition filed under Section 483 of BNSS, pleaded to enlarge the petitioner on bail in Crime No.26 of 2025 pending investigation on the file of the Respondent police.

For Petitioner : Mr.T.Muruganantham

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

**ORDER**

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The petitioner, who was arrested and remanded to judicial custody on 04.10.2025, for the alleged offence punishable under Sections 9(m), 10 of POCSO Act in Crime No.26 of 2025, on the file of the respondent police, seeks bail.

2. The allegation against the petitioner is that this petitioner taking advantage loneliness of the victim girl, he attempted to commit penetrative sexual assault when she raised alarm, the petitioner ran away from there. Hence this case.

3. Learned counsel appearing for the petitioner submitted that the petitioner is an innocent person and he has been falsely implicated in this case. He would further submit that the petitioner was arrested and he is in judicial custody from 04.10.2025 and is ready to abide by any conditions that may be imposed by this Court. Hence, he prayed for grant of bail to the petitioner.

4. Learned Government Advocate (Crl.Side) appearing for the respondent police submitted that the petitioner is the sole accused, the investigation in this



case is pending, the statement of the victim girl is also recorded. Hence, he strongly opposed for grant of bail to the petitioner.

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5. Heard both sides and perused the materials available on record including the First Information Report.

6. Considering the submissions of the learned counsel on either side, and the period of incarceration 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 Fast Track Mahila Court, Erode*, and on further conditions that:-

[a] the sureties shall affix their photographs and Left Thumb Impression in the surety bond and the Magistrate may obtain a copy of their Aadhar card or Bank pass Book to ensure their identity;

[b] the petitioner shall stay at Villupuram for a period of one month and thereafter the petitioner report before



the respondent police daily at 10.30 a.m., for a period of two weeks and thereafter as and when requires for interrogation;

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[c] the petitioner shall not abscond either during investigation or trial;

[d] the petitioner shall not tamper with the evidence or witness either during investigation or trial;

[e] On breach of any of the aforesaid conditions, the learned Magistrate/Trial Court is entitled to take appropriate action against the petitioner in accordance with law as if the 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)AIR SCW 5560];

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

06.11.2025

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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 Fast Track Mahila Court, Erode.
2. The Inspector of Police,
All Women Police Station, Gobichettipalayam,
Erode District.
3. The District Prison, Gobichettipalayam.
4. The Public Prosecutor,
High Court, Madras.

K. RAJASEKAR, J.



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