



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 06.11.2025

CORAM :

THE HON'BLE MR. JUSTICE K. RAJASEKAR

Crl.O.P.No.30307 of 2025

Subash

... Petitioner

-VS-

State Rep by,
The Inspector of Police,
Dharmapuri Police Station,
Dharmapuri District.
(Crime No.576 of 2025)

... Respondent

Prayer:- Criminal Original Petition filed under Section 483 of BNSS, pleaded to enlarge the petitioner on bail in Crime No.576 of 2025 pending investigation on the file of the Respondent police.

For Petitioner : Mr.V.Sakkarapani

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

**ORDER**

WEB COPY

The petitioner, who was arrested and remanded to judicial custody on 21.09.2025, for the alleged offence punishable under Sections 87 of BNS and Section 5(l), 6 of POCSO Act 2012 in Crime No.576 of 2025, on the file of the respondent police, seeks bail.

2. The allegation against the petitioner is that this petitioner developed contact with the victim girl during the online chat, subsequently kidnapped the victim girl, aged about 15 years and taken her to Bangalore, where he resides and taking advantage of the loneliness committed penetrative sexual assault. In the mean time, the parents of the victim girl lodged the complaint of the girl missing case was also registered and girl was secured. 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. The petitioner is aged about 21 years and he has not kidnapped the victim girl and she voluntarily demanded the petitioner herein to take her away from the house and further they were stayed in Bangalore. He would further submit that the petitioner was arrested and he is in judicial custody from 21.09.2025 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.

WEB COPY

4. Learned Government Advocate (CrI.Side) appearing for the respondent police reiterated the prosecution's case and submitted that the investigation is pending. Hence, he strongly opposed for grant of bail to the petitioner.

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, the allegations levelled against the petitioner, and considering the statement recorded from the victim girl and the age of the petitioner herein, 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 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

WEB COPY

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

[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.

Crl.O.P.No.3030



WEB COPY

ma

06.11.2025

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 Special Court for Exclusive Trial of cases under POCSO Act, Dharmapuri.
- 2.The Inspector of Police,
Dharmapuri Police Station,
Dharmapuri District.
- 3.The District Jail, Dharmapuri.
- 4.The Public Prosecutor,
High Court, Madras.



WEB COPY

Crl.O.P.No.3030



K. RAJASEKAR, J.

rna

Crl.O.P.No.30307 of 2025

06.11.2025