



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 10-11-2025

CORAM

THE HONOURABLE MR.JUSTICE K.RAJASEKAR

CRL OP No. 30627 of 2025

DURAIVEERAN

Petitioner(s)

Vs

The State Rep By, The Inspector of
Police
All Women Police Station, Mannargudi.
Crime No.9 of 2021.

Respondent(s)

PRAYER Criminal Original Petition filed under Section 483 of Bharatiya
Nagarik Suraksha Sanhita, 2023 to__enlarge the petitioner on bail in
Spl.S.C.No.47 of 2021 on the file of the Learned Sessions Judge, Fast Track
Mahila Court, Tiruvarur.

For Petitioner(s): Mr.SWAMI SUBRAMANIAN

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

**ORDER**

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Petition seeking bail in respect of Spl.S.C.No.47 of 2021 on the file of the Sessions Judge, Fast Track Mahila Court, Tiruvarur in connection with Crime No.9 of 2021 registered for the alleged offences punishable under Section 5(1) r/w 6 of the POCSO Act and Sections 361 r/w 363 of IPC.

2. The allegation against the petitioner is that the petitioner committed penetrative sexual assault against the victim girl who was aged about 17 years; he was arrested and subsequently released on bail. Thereafter, the case was pending trial. On 19.07.2025, the petitioner was absent, due to which a Non Bailable Warrant was issued against the petitioner and he was remanded to judicial custody on 29.09.2025.

3. The learned counsel appearing for the petitioner submitted that due to ill- health, the petitioner has not appeared before the Court. He further submitted that the petitioner is innocent and he is ready to abide by any



stringent condition that may be imposed by this Court. Therefore, the learned counsel prayed for grant bail to the petitioner.

4. Learned Government Advocate (Criminal Side) appearing for the respondent police opposed for grant of bail to the petitioner and submitted that the NBW was issued against the petitioner on 19.07.2025 for his non-appearance before the Court. He further submitted that the case is posted on 12.11.2023 for examination of P.W.1.

5. Heard the learned counsel appearing for the petitioner, the learned Government Advocate (Crl.Side) for the respondent Police and perused the materials available on record.

6. Taking into consideration of the facts and circumstances of the case, the nature of allegation against the petitioner, submissions made by the learned counsels on either side, 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.20,000/- (Rupees Twenty Thousand only)** with **two sureties**, each 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 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 appear before the concerned Court on all working days at 10.30 a.m., for a period of three weeks and thereafter, on the dates fixed by the learned Trial Judge;

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

[d] the petitioner shall not tamper with evidence or witness



either during investigation or trial;

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[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 of B.N.S.

10-11-2025

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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.



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To
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- 1.The State Rep By, The Inspector of
Police
All Women Police Station, Mannargudi.
Crime No.9 of 2021.
- 2.The Sessions Judge, Fast Track
Mahila Court, Tiruvarur.
- 3.The District Prison Nagapattinam.
- 4.The Public Prosecutor,
High Court of Madras.



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K.RAJASEKAR J.

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