



Crl.OP.No.30905 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 13.11.2025

CORAM:

THE HON'BLE MRS.JUSTICE T.V.THAMILSELVI

Crl.O.P.No.30905 of 2025

Varadharajan

... Petitioner

-VS-

The State rep by,
The Inspector of Police,
All Women Police Station,
Thindivanam.
(Crime No.24 of 2025)

... Respondent

PRAYER: Criminal Original Petition has been filed under Section 483 of BNSS Act, 2023, pleaded to enlarge the petitioner on bail pending investigation in Crime No.24 of 2025 on the file of the respondent police.

For Petitioner : Mr.B.Divakaran

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 12.10.2025 by the learned Sessions Judge, Spl. Court for Exclusive Trial under POCSO Act, Villupuram, for the alleged offences punishable under Sections 87 of BNS r/w 5(i), 5(j)(ii) and 6 of POCSO Act, in Crime No.24 of 2025, seeks bail.

2. The case of prosecution is that the complaint given by the defacto complainant is that the accused kidnapped the victim and had sexual intercourse with her under the guise of love and made her pregnant. 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 12.10.2025 and ready to abide by any conditions that may be imposed by this Court. Hence, he prayed for grant of bail to the petitioner.

4. The learned Government Advocate (Crl. Side) appearing for respondent would submit that the petitioner and the victim girl were in love for the past three years due to which she became pregnant and now the child was aborted, 164 statement was recorded, investigation is completed, he is



suspended. Hence, he strongly opposes grant of bail to the petitioner.

5. Considering the facts and circumstances, and also the fact that the investigation is almost completed, and further considering the period of incarceration undergone by the petitioner, this Court is inclined to grant bail to the petitioner with certain conditions.

6. Accordingly the **petitioner is directed to deposit a sum of Rs.20,000/- (Rupees Twenty Thousand only) to the credit of Crime No.24 of 2025.** On such deposit, the petitioner is ordered to be released on bail on executing separate bonds for a sum of **Rs.10,000/- (Rupees Ten Thousand only) with two sureties**, for a like sum to the satisfaction of the *learned Sessions Judge, Special Court for Exclusive Trial of Cases under POCSO Act, Villupuram*, 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 report before the respondent police on every Tuesday and Saturday at 10.30 a.m. for



the period of three months and the victim is permitted to withdrawn;

(c) the petitioner shall not tamper with evidence or witness either during investigation or trial;

(d) the petitioner shall not abscond 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]*; and;

(h) if the accused thereafter absconds, a fresh FIR can be registered under Section 269 of B.N.S.

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Note :

1. Registry is directed to forthwith

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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 learned Sessions Judge, Special Court for Exclusive Trial of Cases under POCSO Act, Villupuram.
2. The Inspector of Police,
All Women Police Station,
Thindivanam.
3. The Superintendent of Prison,
District Jail, Villupuram.
4. The Public Prosecutor,
High Court, Madras

T.V.THAMILSELVI, J.

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