



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: **21.11.2025**

CORAM :

THE HON'BLE MR. JUSTICE K. RAJASEKAR

Crl.O.P.No.31750 of 2025

Batakrushna Behera

... Petitioner

-Vs-

State Rep by,
The Inspector of Police,
All Women Police Station,
Kangayam, Tiruppur District.
(Crime No.13 of 2025)

... Respondent

Prayer:- Criminal Original Petition filed under Section 483 of BNSS Act, 2023, pleased to enlarge the petitioner on bail in Crime No.13 of 2025 pending on the file of the respondent police.

For Petitioner : Mr.C.Naveen Kumar

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

ORDER

The petitioner, who was arrested and remanded to judicial custody on 24.06.2025, for the alleged offence punishable under Section 7, 8 of POCSO Act and Section 118(1) of BNS, 2023 in Crime No.13 of 2025, on the file of the



respondent police, seeks bail.

2. The allegation against the petitioner is that the petitioner is a neighbour of the victim. While she was alone, this petitioner entered the house, molested her, and attempted to commit aggravated penetrative sexual assault. Immediately when she raised alarm, she was rescued by the neighbours. Hence the complaint.

3. Learned counsel appearing for the petitioner submitted that the petitioner hails from Orissa. He further submitted that he is in judicial custody since 24.06.2025 and in this case pending in the trial stage. Hence, he prayed for grant of bail to the petitioner.

4. Learned Government Advocate (Crl.Side) appearing for the respondent police reiterated the prosecution case and submitted that the victim age is 13 years, and the occurrence took place on 23.06.2025. Immediately, the complaint was registered and now the case is pending for framing charges. Hence, he opposed for the grant of bail to the petitioner.

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

6. On perusal of the First Information Report and the statement of the victim girl, it is seen that this is a case of attempted aggravated penetrative sexual assault.



7. Considering the above facts and circumstances of the case, the submissions made by the learned counsel on either side and the petitioner is in judicial custody from 24.06.2025, this Court is inclined to grant bail to the petitioner.

8. 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, for a like sum to the satisfaction of the *learned Sessions Magalir Needhi Mandram (Fast Track Mahila Court), Tiruppur* 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 concerned Court daily at 10.30 a.m., for a period of four weeks and thereafter as and when required for interrogation. However, it is made clear that the petitioner shall not enter into the jurisdictional limits of the respondent police, until further orders;



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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.

21.11.2025

drl

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

1.The Sessions Magalir Needhi Mandram
(Fast Track Mahila Court), Tiruppur.

2.The Inspector of Police,
All Women Police Station,
Kangayam, Tiruppur District.

3.The Superintendent,
Central Prison, Coimbatore.

4.The Public Prosecutor,
High Court, Madras.



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K. RAJASEKAR, J.

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