



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 20.11.2025

CORAM

THE HONOURABLE MR JUSTICE **K.RAJASEKAR**

Crl.O.P.No.31727 of 2025

C.Boopathi

... Petitioner

Vs.

The State represented by
The Inspector of Police,
AWPS, Dharmapuri.
(Cr.No.46 of 2025)

... Respondent

PRAYER : Criminal Original Petition filed under Section 483 of Bharatiya
Nagarik Suraksha Sanhita,2023, to enlarge the petitioner on bail in the event
of arrest in connection with Cr.No.46 of 2025 on the file of the respondent
police.

For Petitioner : Ms.R.Saritha

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

ORDER

The petitioner, who was arrested and remanded to judicial custody on



09.10.2025 for the alleged offence under Sections 7 & 8 of POCSO Act, in
Crime No.46 of 2025 on the file of the respondent police, seeks bail.

2. The case of the prosecution is that on 30.07.2025, the petitioner had kidnapped the victim girl, who is a minor and committed sexual assault on her. Hence, based on the complaint lodged by the mother of the victim, the FIR in Crime No.46 of 2025 came to be registered.

3. The learned counsel for the petitioner submitted that the investigation in this case has been completed and the final report has also been filed. He further submitted that the petitioner is aged about 19 years and he has been suffering incarceration from 09.10.2025. Hence, he prayed for the grant of bail to the petitioner.

4. The learned Government Advocate (Criminal Side) appearing for the respondent police submitted that the parents of the petitioner/A1 have also helped for illegally confine the victim girl. Hence, he opposed to grant



bail to the petitioner.

5. Heard both sides and perused the materials available on record.

6. Considering the facts and circumstances of the case, the period of incarceration undergone by the petitioner from 09.10.2025 and also considering the fact that the petitioner is aged 19 years and now, the investigation has been completed and the final report has also been filed, 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.25,000/- (Rupees Twenty Five Thousand only)** with **two sureties**, 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 Thumb Impression in the Application for Surety ship [Judicial Form No.46 annexed to 'The Criminal Rules of Practice, 2019']. The learned Magistrate shall obtain a



copy of any one of the identity proofs to ensure their identity;

[b] the petitioner shall report before the respondent police at 10.30 a.m for a period of three weeks and thereafter as and when required for interrogation;

[c] On breach of any of the aforementioned conditions, the learned Magistrate/Trial Court is entitled to pass appropriate orders against the petitioner in accordance with law as if the aforementioned 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)13 SCC 283]**;

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

20.11.2025



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Note :

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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. Special Court for Exclusive Trial of Cases under POCSO Act,
Dharmapuri.

2. The Inspector of Police,
AWPS, Dharmapuri.

3. The District Jail, Dharmapuri.

4. The Public Prosecutor,
High Court of Madras.



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K.RAJASEKAR, J.

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