



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 25.11.2025

CORAM :

THE HON'BLE MR. JUSTICE K. RAJASEKAR

CrI.O.P.No.32090 of 2025

Kandiappan @ Nandhakumar

... Petitioner

-VS-

State Rep by,
The Inspector of Police,
Udumalpet All Women Police Station.
(Crime No.189 of 2025)

... Respondent

Prayer:- Criminal Original Petition filed under Section 483 of BNSS, pleaded to enlarge the petitioner on bail in Spl.S.C.No.150 of 2025 on the file of Sessions Magalir Neethi Mandram, (Fast Track Mahila Court), Tiruppur.

For Petitioner : Mr.D.Nandhagopal

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

**ORDER**

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The petitioner, who were arrested and remanded to judicial custody on 06.05.2024 for the offences punishable under Sections 137(2), 351(2) of BNS and 5(l), 6, 7 r/w 8 of POCSO Act, in Crime No.189 of 2025, registered on the file of the respondent police, seeks bail.

2. The allegation against this petitioner is that, this petitioner developed the relationship with the victim girl through the Instagram and taking advantage of her loneliness and committed aggravated penetrative sexual assault. Further the petitioner started continuously harass the victim girl. Hence she had stopped the relationship with the petitioner. Thereafter the second accused has moved close to the victim girl and kidnapped her and taken to the native place and thereafter due to intervention of the parent of the A2, she was restored into custody of her mother. Hence the case.

3. The learned counsel appearing for the petitioner submitted that the petitioner has been falsely implicated in this case and the petitioner is in judicial custody since 26.05.2025; and that the petitioner is ready to abide by any stringent conditions that may be imposed by this Court and sought for bail to the petitioner.



4. The learned Government Advocate (Crl. Side) appearing for the respondent while opposing the bail to the petitioner reiterated the prosecution case and stated that the co-accused in this case and the petitioner herein by taking advantage of the loneliness and age of victim committed aggravated penetrative sexual assault, and now the case is pending in Spl.S.C.No.150 of 2025 for engaging counsel and opposed for grant of bail to the petitioner.

5. Considering the facts and circumstances of the case, that the final report already filed and the case is pending in Spl.S.C.No.150 of 2025 for trial and considering the period of incarceration of the petitioner, this Court is inclined to grant bail to the petitioner with certain conditions.

6. 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, Magalir Neethi Mandram (Fast Track Mahila Court), Tiruppur*, and on further conditions that:-

[a] the sureties shall affix their photographs and Left Thumb Impression in the Application for Surety ship [Judicial Form



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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 learned Sessions, Magalir Neethi Mandram (Fast Track Mahila Court), Tiruppur daily at 10:30 a.m., for a period of four weeks and thereafter, as and when required for interrogation by the respondent police ;

[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.



25.11.2025

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 Sessions, Magalir Neethi Mandram (Fast Track Mahila Court), Tiruppur.
- 2.The Inspector of Police,
Udumalpet All Women Police Station.
- 3.The Superintendent of Prison,
Central Jail, Coimbatore.
- 4.The Public Prosecutor,
High Court, Madras.



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K. RAJASEKAR, J.

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