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Crl.O.P.No.32724



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: **28.11.2025**

CORAM :

**THE HON'BLE MR. JUSTICE K. RAJASEKAR**

**Crl.O.P.No.32724 of 2025**

Prasanth

... Petitioner

-VS-

State Rep by,  
The Inspector of Police,  
All Women Police Station Palacode,  
Dharmapuri District.  
(Crime No.2 of 2025)

... Respondent

**Prayer:-** Criminal Original Petition filed under Section 483 of BNSS, pleaded to enlarge the petitioner on bail in connection with Spl.S.C.No.93 of 2025 on the file of the Special Court for Exclusive Trial of Cases under POCSO Act, Dharmapuri.

For Petitioner : Mr.V.Sakkarapani

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

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## **ORDER**

The petitioner, who was arrested and remanded to judicial custody on 11.02.2025, for the alleged offence punishable under Sections 115(2), 351(2) of BNS and 9(m), 10 of POCSO Act, 2012, in Crime No.2 of 2025, on the file of the respondent police, seeks bail.

2. The allegation against this petitioner, this petitioner is step father of the victim girl aged about 13 years and taking advantage of the loneliness of the victim, he committed sexual assault repeatedly. Hence the mother of the victim girl has also questioned the petitioner, for which the petitioner has attacked her and caused injuries, thereafter the complaint was lodged and the petitioner was arrested.

3. Learned counsel appearing for the petitioner submitted that he was arrested and in judicial custody from 11.02.2025 and is ready to abide by any conditions that may be imposed by this Court. He further submitted that which is not a case of penetrative sexual assault and due to family dispute the false complaint has been lodged on the behest of the mother of the victim girl. Hence,



he prayed for grant of bail to the petitioner.

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4. Learned Government Advocate (Crl.Side) appearing for the respondent police submitted that the petitioner was arrested and the case is pending for framing of charges and posted on 08.12.2025 and he opposed for grant of bail to the petitioner.

5. I have also gone through the records, it reveals that it is not the case of penetrative sexual assault. Further the petitioner is in custody from 11.02.2025 and there is no progress in this case, this Court is inclined to grant bail to the petitioner, subject to certain conditions.

6. Accordingly, the petitioner is ordered to be released on bail on her 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 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 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 learned**

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**Special Court for Exclusive Trial of cases under POCSO Act,  
Dharmapuri daily at 10.30 a.m., for a period of three weeks and  
thereafter as and when requires for interrogation;**

[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.

**28.11.2025**

rna



**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 Special Court for Exclusive Trial of cases under POCSO Act, Dharmapuri.
- 2.The Inspector of Police,  
All Women Police Station Palacode,  
Dharmapuri District.
- 3.The Superintendent of Prison,  
District Jail, Dharmapuri.
- 4.The Public Prosecutor,  
High Court, Madras.



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**K. RAJASEKAR, J.**

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