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Crl.O.P.No.32810 of 2025



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 01.12.2025

CORAM :

THE HON'BLE MR. JUSTICE K. RAJASEKAR

**Crl.O.P.No.32810 of 2025**

M.Uthirakumar

... Petitioner

-Vs-

State Rep by,  
The Inspector of Police,  
A.W.P.S. Polur Police Station,  
Tiruvannamalai District.  
(Crime No.71 of 2025)

... Respondent

**Prayer:-** Criminal Original Petition filed under Section 483 of BNSS Act, 2023,  
pleaded to enlarge the petitioner on bail in Crime No.71 of 2025 pending on the  
file of the respondent police.

For Petitioner : Mr.M.P.Saravanan

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

**ORDER**

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



02.09.2025, for the alleged offence punishable under Sections 87 and 64(2)(m)

of the BNS, 2023 read with Sections 5(I), 5(j)(II) and 6(1) of the Protection of

Children from Sexual Offences Act, 2012, in Crime No.71 of 2025, on the file

of the respondent police, seeks bail.



2. The allegation against the petitioner is that he, hailing from village of the victim girl aged about 16 years, under the pretext of love, he committed aggravated penetrative sexual assault repeatedly, which resulted in pregnancy. Hence, the complaint was lodged, and the petitioner was arrested and is in judicial custody.

3. Learned counsel appearing for the petitioner submitted that the petitioner does not have any bad antecedents. He further submitted that the petitioner is in judicial custody since 02.09.2025 and that the investigation in this case is concluded. 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 it is a case of aggravated penetrative sexual assault which resulted in pregnancy. He further submitted that investigation is concluded and the final report filed. However, he opposes to grant bail to the petitioner.

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



6. Considering the submissions made by the learned counsel on both sides, the fact that the petitioner is in judicial custody from 02.09.2025, and on perusal of the statement of the victim girl, it is revealed that the offence took place in the year 2024, investigation is completed and the final report filed, 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 Special Court for Exclusive Trial of Case under POCSO Act, Tiruvannamalai* 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] (I) the petitioner shall stay at Tiruppur and report before the Tiruppur North Police Station, daily at 10.30 a.m., for a period of three weeks.



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**(ii) The petitioner shall not enter into the jurisdictional limits of the respondent police, until further orders;**

[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.

**01.12.2025**



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**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 Case under POCSO Act, Tiruvannamalai.
- 2.The Inspector of Police,  
A.W.P.S. Polur Police Station,  
Tiruvannamalai District.
- 3.The Superintendent,  
Central Prison, Vellore.
- 4.The Public Prosecutor,  
High Court, Madras.

**K. RAJASEKAR, J.**

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