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Crl.O.P.No.33025 of 202



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 09-12-2025

CORAM

THE HONOURABLE MR JUSTICE K. RAJASEKAR

CRL OP NO.33025 of 2025

Govindaraji

... Petitioner/ Accused

Vs

The State rep. by,
The Inspector of Police,
All Women Police Station,
Tirupathur, Tirupathur District.
(Crime No.35 of 2025)

... Respondent

PRAYER : Criminal Original Petition filed under Section 483 of Bharatiya
Nagarik Suraksha Sanhita, 2023, to grant bail to the petitioner/accused in
Crime No.35 of 2025 on the file of the respondent police.

For Petitioner(s) : M/s. G. Vinodhkumar

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



ORDER

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The petitioner, who was arrested and remanded to judicial custody on 03.11.2025 for the offences punishable under Sections 376AB and 506(1) of IPC and Section 5(m), 5(n), 5(l) r/w Section 6 of the POCSO Act in Crime No.35 of 2025, registered on the file of the respondent police, seeks bail.

2. The allegation against the petitioner herein is that, the petitioner is the relative of the victim girl/ defacto complainant, who is aged about 15 years; that the petitioner herein had committed aggravated penetrative sexual assault on her, while she was studying IV standard and again while she was studying IX standard; that further, the petitioner threatened her of dire consequences, if she revealed the said incident to her mother; that whileso on 02.11.2025, the petitioner herein picked up a wordy quarrel with the victim girl and her mother and threatened them of dire consequences, hence the victim called the police helpline and with the help of the police officials lodged the complaint; that thereafter the petitioner has been arrested. Hence, this case.

3. The learned counsel appearing for the petitioner submitted that on account of previous family enmity, a false complaint has been lodged



against the petitioner herein and he was arrested and in judicial custody since 03.11.2025; and that the petitioner is ready to abide by any 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 submitted that the statement of the victim girl has been recorded; and that the investigation of this case is pending.

5. Considering the submissions made, facts and circumstances of the case, though the statement of the victim girl and connected materials reveals certain disturbing facts, the manner in which the complaint was lodged, the FIR was registered and taking note of the period of incarceration undergone by 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.25,000/- (Rupees Twenty Five Thousand only)** with **two sureties each**, for a like sum to the satisfaction of the **learned Sessions Court, Tirupathur** and on further conditions that:



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[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 stay at Trichy and report before the learned Judicial Magistrate-I, Trichy daily at 10:30 a.m., until further orders. It is made clear that the petitioner shall not enter into the jurisdictional limit of the respondent police;

[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.

09.12.2025

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Note :

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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 Judge,
Tirupathur.
2. The Inspector of Police,
All Women Police Station,
Tirupathur, Tirupathur District.
(Crime No.35 of 2025)
3. The Superintendent,
Central Prison, Vellore.
4. The Public Prosecutor,
High Court of Madras.



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K. RAJASEKAR, J.

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