



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 05-12-2025

CORAM

**THE HONOURABLE MR.JUSTICE K.RAJASEKAR**

**CRL OP NO.33404 of 2025**

Dinesh

Petitioner

Vs

The State Represented by  
The Station House Officer,  
D Nagar Police Station,  
Puducherry.  
Crime No.208 of 2025.

Respondent

**PRAYER :** Criminal Original Petition filed under Section 483 of Bharatiya Nagarik Suraksha Sanhita, 2023, to enlarge the petitioner on bail in Crime No.208 of 2025 on the file of the respondent police.

**For Petitioner:**

Mr.R.Sunil Kumar

**For Respondent:**

Mr.M.V.Ramachandra Murthy  
Public Prosecutor, Puducherry.

**ORDER**

The petitioner, who was arrested and remanded to judicial custody



on 08.11.2025 for the alleged offence punishable under Sections 137(2) of BNS and Section 6 of POCSO Act, in Crime No.208 of 2025, seeks bail.

2. The allegation against the petitioner is that the petitioner is aged 18 years and had developed a relationship with a victim girl, who is aged 16 years and kidnapped her to various places, and thereafter committed penetrative sexual assault. Hence, the complaint was lodged and the petitioner was arrested and the victim was also secured.

3. The learned counsel appearing for the petitioner submitted that the petitioner is about 18 years and he did not kidnap the victim, the victim herself voluntarily accompanied the petitioner, and they visited various places, and no offence alleged was taken place. Hence, he prayed to grant bail to the petitioner.

4. The learned Public Prosecutor, Puducherry, reiterated the prosecution case and submitted that by relying on the statement of the victim, the petitioner had kidnapped the victim and taken her to various places and thereafter committed sexual assault. Hence, he opposed 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 either side, and on perusal of the FIR and also the statement of the victim girl, which disclose various facts and taking into account that the petitioner is aged 18 years and the period of his incarceration, this Court is inclined to grant bail to the petitioner on certain conditions.

7. 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 Fast Track Court Exclusively to Deal with Offence under the POCSO Act, Puducherry*, 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 respondent police daily at 10.30 a.m., for a period of two weeks and thereafter as and when required 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.

**05.12.2025**

*drl*



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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 Fast Track Court Exclusively to Deal with Offence under the POCSO Act, Puducherry,
2. The Station House Officer, D Nagar Police Station, Puducherry.
3. The Superintendent, Central Prison, Kalapet, Puducherry.
4. The Public Prosecutor, Puducherry.



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**K.RAJASEKAR, J.,**

drl

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