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Crl.O.P.No.33801 of 2025



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 10-12-2025

CORAM

THE HONOURABLE MR JUSTICE K. RAJASEKAR

CRL OP NO.33801 of 2025

Eswaran

... Petitioner/ Accused

Vs

The State rep. by,
The Inspector of Police,
Tiruvannamalai All Women Police Station,
Tiruvannamalai District.
(Crime No.75 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.75 of 2025 on the file of the respondent police.

For Petitioner(s) : Mr. E. Sathiyaraj

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 27.10.2025 for the alleged offence punishable under Section 87 of BNS and Section 7 r/w 8 of POCSO Act in Crime No.75 of 2025 on the file of the respondent police, seeks bail.

2. The allegation against the petitioner herein is that, while the victim girl, who is aged about 10 years was returning from a neighbouring house, the petitioner herein took her to a lonely place and sexually assaulted her by touching her private parts. Hence, this case.

3. The learned counsel appearing for petitioner submitted that the petitioner is aged about 19 years and he has been falsely implicated in this case and in judicial custody since 27.10.2025; that the investigation of the case was completed and final report filed; and that the petitioner is ready to abide by any condition that may be imposed by this Court and sought for bail to the petitioner.

4. The learned Government Advocate (Crl. Side) appearing for respondent while opposing the bail to the petitioner reiterated the prosecution



case and submitted that the investigation of this case was completed and final report filed.

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5. Considering the submissions made, facts and circumstances of the case, nature of allegation, the age of the petitioner, the fact that the investigation of this case was completed and final report filed and also considering 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.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, Thiruvannamalai** and on further conditions that:

[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 report before the learned **Special Judge, Special Court for Exclusive Trial of Cases**



**under POCSO Act, Thiruvannamalai daily at 10:30 a.m., for
a period of three weeks;**

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[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.

10.12.2025

stn

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 Judge,
Special Court for Exclusive Trial of Cases under POCSO Act,
Thiruvannamalai.
2. The Inspector of Police,
Tiruvannamalai All Women Police Station,
Tiruvannamalai District.
(Crime No.75 of 2025)
3. The Superintendent,
Central Prison, Vellore.
4. The Public Prosecutor,
High Court of Madras.

K. RAJASEKAR, J.

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