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Crl.OP.No.34262 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 15.12.2025

CORAM

THE HONOURABLE JUSTICE **K.RAJASEKAR**

Crl.O.P.No.34262 of 2025

Thiyagu

... Petitioner

Vs.

State Rep by
The Inspector of Police,
Kangeyan All Women Police Station,
Tiruppur District.
(Cr.No.17 of 2025)

... Respondent

PRAYER : Criminal Original Petition filed under Section 483 of Bharatiya Nagarik Suraksha Sanhita, 2023, to enlarge the petitioner on bail in Cr.No.17 of 2025 in Spl.S.C.No.236 of 2025 on the file of the Sessions Judge Magalir Neethimandram (Fast Track Mahila Court) Tiruppur.

For Petitioner : Mr.Subash

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

ORDER

The petitioner, who was arrested and remanded to judicial custody on 17.08.2025 for the alleged offence under Sections 9(m) r/w.10 of POCSO Act, and section 329(1), 351(2), 115(2) of BNS in Crime No.17 of 2025 on the file of the respondent police, seeks bail.



2. The allegation against the petitioner is that the petitioner is neighbour of the victim girl aged about 8 years and taking advantage of her loneliness, entered into the house and committed sexual assault on her. Subsequently, she revealed the same to A2 and A3, who, after hearing the same, threatened her and prevented her from disclosing it to others. Hence the present case was registered against the petitioner and is in judicial custody from 17.08.2025.

3. The learned counsel appearing for the petitioner submitted that already A2 and A3 have already been arrested and released on bail. The petitioner is ranked as A1 in this case, he is in custody from 17.08.2025, the investigation has been completed, and the final report has been filed. Hence, he prayed for grant of bail to the petitioner.

4. The learned Government Advocate (Criminal Side) reiterated the prosecution case and submitted that investigation has been completed; final report has been filed and he has also produced the copy of the statement recorded from the victim girl under section 183 of BNS. Hence, he opposed to grant bail to the petitioner.



5. I have gone through the connected records and statement recorded from the victim girl, which revealed that it is not a case of penetrative sexual assault and the petitioner is in custody from 17.08.2025, and 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 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 Sessions Judge Magalir Neethimandram (Fast Track Mahila Court) Tiruppur*, 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 four 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.

[g] The petitioner shall not enter into the jurisdictional limit where the victim girl is residing.

15.12.2025

mpa



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 Sessions Judge Magalir Neethimandram (Fast Track Mahila Court) Tiruppur.
2. The Inspector of Police,
Kangeyan All Women Police Station,
Tiruppur District.
3. The Superintendent, Central Prison, Coimbatore.
4. The Public Prosecutor,
High Court of Madras.



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K.RAJASEKAR, J.

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