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CRL OP No. 35499 of 2025



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 26-12-2025

CORAM

THE HONOURABLE MR.JUSTICE P. DHANABAL

CRL OP No. 35499 of 2025

1. Dinakaran
S/O.Muthukumar, NO. 6/124 A
Ellapalayam Pudhur, Nizhali Post
Uthiyur Kangayam taluk, Tiruppur
tamil nadu 641 664

Petitioner(s)

Vs

1. State By, The Inspector of Police
Kangeyam All womens , Police Station,
Tiruppur, Tamil nadu 641 607

Respondent(s)

PRAYER

To enlarge the petitioner accused herein on bail in Spl.S.C No 247 of 2025 on the file of the respondent complainant on the file of the Inspector of Police Kangeyam All Women Police station, Tiruppur, Tamilnadu in Crime No 21 of 2025 on the file of the Honble court of Sessions Magalir Neethi Mandram,/ Fast Track Court Tiruppur, Tamil Nadu.

For Petitioner: Mr.S.Mohan Raj

For Respondent(s): Mr.S.Vinoth Kumar
Government Advocate (Crl.Side)

ORDER

The petitioner, who was arrested and remanded to judicial custody on 13.09.2025, for the alleged offence punishable under Sections 9(m) 10 of



Protection of Child from Sexual Offence Act 2013 and section 329(1) of BNSS Act 2023 later altered under section 5(1), 5(m), 6, 9(m) r/w. 10 of POCSO Act 2012 and under section 329(1) of BNSS Act 2023 in Crime No.21 of 2025, on the file of the respondent police, seeks bail.

2. The case of the prosecution is that on 12.09.2025 the accused/petitioner made sexual assault against the victim girl. Hence, the complaint.

3. Learned counsel appearing for the petitioner submitted that the petitioner is an innocent and he has been falsely implicated in this case. He would further submit that the petitioner was arrested and is in judicial custody from 13.09.2025. Hence, he prayed bail for the petitioner.

4. The learned Government Advocate (Crl.Side) appearing for the respondent police reiterated the prosecution case and submitted that the investigation in this case has been completed and charge sheet has been filed and there are no previous cases pending against the petitioner. However, the offences are grave in nature thereby 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 rival submissions made by the learned counsel on either side, the nature of the offence, and already statement of the victim was recorded and this Court also perused the statement of the victim girl; the fact that the investigation has been completed and charge sheet has been filed and the case is posted for framing of charges, and also considering the period of his incarceration, this Court is inclined to grant bail to the petitioner, subject to certain conditions.

[a] Accordingly, the petitioner is ordered to be released on bail on his executing a bond for a sum of Rs.10,000/- (Rupees Ten Thousand only) with two sureties, each for a like sum to the satisfaction of the Sessions Magalir Neethi Mandram (Fast Track Mahila Court), Tiruppur, and on further conditions that:-

[b] the petitioner shall report before the POCSO Court on all working days at 10.30 a.m., until further orders.

[c] the petitioner shall not commit any offence similar to the offence of which he is accused, or suspected, or of the commission of which he is suspected;

[d] the petitioner shall not abscond either during investigation or trial;



[e] the petitioner shall not directly or indirectly make any inducement, threat or promise to any person acquainted with the facts of the case so as to dissuade him from disclosing such facts to the Court or to any police officer or tamper with the evidence;

[f] On breach of any of the aforesaid conditions, the learned Judicial 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].

[g] If the accused thereafter absconds, a fresh FIR can be registered under Section 269 BNS.

26-12-2025

mpa
Index: Yes/No
Speaking/Non-speaking order
Internet: Yes
Neutral Citation: Yes/No



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. Sessions Magalir Neethi Mandram (Fast Track Mahila Court), Tiruppur.

2. State By, The Inspector of Police
Kangeyam All womens , Police Station,
Tiruppur, Tamil nadu 641 607

3. The Superintendent, Puzhal Prison,
Chennai.

4. The Public Prosecutor
High Court of Madras.



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