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CRL OP No. 35889 of 2025



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 26-12-2025

CORAM

THE HONOURABLE MR.JUSTICE P. DHANABAL

CRL OP No. 35889 of 2025

Raja
S/o.Murugaiyan,
Manjakkottagam, Edaiyur Village,
Thiruthuraipoondi Taluk,
Tiruvarur District.

Petitioner(s)

Vs

The State Rep By Its,
The Inspector of Police,
All Women Police Station, Muthupettai,
Tiruvarur District. Cr.No.04 of 2025

Respondent(s)

PRAYER:- The Criminal Original Petition is filed under Section 483 of B.N.S.S., praying to enlarge the petitioner on bail, pending investigation of the case in the Cr.No.04 of 2025 on the file of the respondent.

For Petitioner(s): Mr.M.Vijaya Ragavan

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

ORDER

The petitioner / Accused, who was arrested and remanded to judicial custody on 09.05.2025 for the offence punishable under Sections 7 r/w 8 and



9(l), 9(n) r/w 10 of POCSO Act, 2012 on the file of the respondent police, seeks bail.

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2. The case of the prosecution is that the petitioner, who is the father of the victim had committed aggravated sexual assault against her on several occasions. Hence the case.

3. The learned counsel for the petitioner would contend that the respondent police have registered a false case against the petitioner for the offences punishable Sections 7 r/w 8 and 9(l), 9(n) r/w 10 of POCSO Act, 2012. The petitioner is an innocent and he is nothing to do with the alleged offences. He is in judicial custody from 09.05.2025. Therefore prayed to grant bail to the petitioner.

4. The learned Government Advocate (Criminal Side) would submit that the petitioner, who is the father of the victim had committed aggravated sexual assault against her on several occasions and the investigation is completed in this case. However, he raised objection to release the petitioner on bail.

5. Heard both sides and perused the materials available on record.



6. Considering the nature of offences and the relationship between the parties and the investigation was completed in this case and also the period of incarceration undergone by the petitioner, this Court is inclined to grant bail to the petitioner, subject to the following conditions:-

[a] Accordingly, the petitioner is ordered to be released on bail on condition to execute 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 learned **Session Judge, Fast Track Mahila Court, Tiruvarur** and on further conditions that:

[b] the petitioner shall report before the POCSO Court, Tiruvarur on all working days at 10.00 a.m. until further orders;

[c] the petitioner shall not contact the victim at any point of time and 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 B.N.S.2023.

26-12-2025

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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 official website of this Court will be watermarked and will also have a QR code.



To:-

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1.Learned Session Judge,
Fast Track Mahila Court, Tiruvarur.

2.The Inspector of police,
All Women Police Station,
Muthupettai, Tiruvarur District.

3.The Public Prosecutor,
High Court of Madras.



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P.DHANABAL J.

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26-12-2025