



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 26-12-2025

CORAM

THE HONOURABLE MR.JUSTICE P. DHANABAL

CRL OP No. 35453 of 2025

Mutarasu
S/O.Kumar, No.1/126, Barathi Dasan
Street, Vaniyambadi Town, Vaniyambadi
Taluk, Tirupathur District.

Petitioner(s)

Vs

1. State Rep By, Inspector Of Police,
Jolarpet Town Police Station, Crime No.
195 Of 2025, Tirupathur.

Respondent(s)

PRAYER

To enlarge the petitioner on bail in connection with the case in Crime NO. 195/2025 pending investigation on the file of the respondent police and thus render justice.

For Petitioner(s): Mr. M. Ganesh

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

ORDER

The petitioner was arrested and remanded to judicial custody on 22.11.2025, for the alleged offences punishable under Section 137 (2) of BNS, 2023, Section 9 of Prohibition of Children from Sexual Offences Act, 2012 in Crime No. 31 of 2025, on the file of the respondent police, seeks bail.



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2. The case of the prosecution is that there was a love affair between the petitioner and victim. It is alleged that the defacto complainant's daughter has left the home without informing to any one. Hence, the complaint.

3. The learned counsel appearing for the petitioner submitted that the petitioner has no connection with the alleged incident and has been falsely implicated. He would further submit that the petitioner was arrested and has been in judicial custody since 22.11.2025. Hence, he prayed bail for the petitioner.

4. The learned Government Advocate (Criminal Side) appearing for the respondent police, while opposing the grant of bail to the petitioner, reiterated the prosecution case. He further submitted that the petitioner has no previous case pending against him.

5. Heard both sides and perused the materials available on record including the First Information Report.

6. Considering the nature of offences and that there was a love affair between the petitioner and the victim and further the statement of the victim has



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already been recorded and upon perusing the said statement and the materials available on record and also taking into account the period of incarceration undergone by the petitioner and the fact that no previous case is pending against him, 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 District and Sessions Judge, Tirupattur and on further conditions that:-

[b] the petitioner shall report before the POCSO Court on every working day 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

AT

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.



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1. State Rep By, Inspector Of Police,
Jolarpet Town Police Station, Crime
No. 195 Of 2025, Tirupathur.
- 2.The District and Sessions Judge, Tirupattur.
- 3.The Sub Jail, Tirupattur.
- 4.The Public Prosecutor
High Court of Madras.



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AT/MPA

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This Criminal Original Petition is posted today under the caption "for being mentioned" at the instance of the learned counsel for the petitioner.

2. The learned counsel appearing for the petitioner would submit that in the order dated 26.12.2025, in Paragraph No.1 the offence and crime number were wrongly mentioned as Section 137 (2) of BNS, 2023, Section 9 of Prohibition of Children from Sexual Offences Act, 2012 in Crime No. 31 of 2025 instead of Section 137 (2) of BNS, 2023, Section 9 of Prohibition of Child Marriage Act, 2006 and Section 5(1), 5(j) (ii) and 6(1) of Protection of Children from Sexual Offences Act, 2012 in Crime No. 195 of 2025.

3. Since these are typographical errors, Registry is directed to replace paragraph number 1 as follows:

"1. The petitioner, who was arrested and remanded to judicial custody on 22.11.2025, for the alleged offences punishable under Section 137 (2) of BNS, 2023, Section 9 of Prohibition of Child Marriage Act, 2006 and Section 5(1), 5(j) (ii) and 6(1) of Protection of Children from Sexual Offences Act, 2012 in Crime No. 195 of 2025, on the file of the



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respondent police, seeks bail.”

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4. Registry is directed to carry out the above said correction and issue fresh order copy.

mtl

07.01.2026

ISSUE ORDER COPY ON 07.01.2026



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mtl

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