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CRL OP No. 35904 of 2025



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 30-12-2025

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THE HONOURABLE MR.JUSTICE P. DHANABAL

CRL OP No. 35904 of 2025

D.Balakumar

Petitioner(s)

Vs

The State of Tamil Nadu
Rep by,
Inspector of Police, Dharapuram
All Women Police Station,
Tiruppur District.
Crime No. 19/2025.

Respondent(s)

PRAYER:- Criminal Original Petition filed under Section 483 of B.N.S.S., 2023 to release the petitioner on bail pending trial in Spl.S.C.No.178 of 2025 on the file of the Learned Fast Track Mahila Court, Tiruppur.

For Petitioner(s): M/s/M.Karthikeyani

For Respondent(s): S.Vinoth Kumar
Government Advocate (Criminal
side)

ORDER

The petitioner, who was arrested and remanded to judicial custody on 14.06.2025, for the alleged offences punishable under Sections 5 (1), 5 (n), 5 (j) (ii) r/w 6 of POCSO Act, 2012 in Crime No.19 of 2025, on the file of the respondent police, seeks bail.



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2. The case of the prosecution is that, the petitioner had committed penetrative sexual assault on the minor victim girl. Hence, the present case came to be registered.

3. The learned counsel appearing for the petitioner would submit that the petitioner is an innocent person and he has been falsely implicated in this case. He further submitted that that the petitioner has been suffering incarceration from 14.06.2025 and he is ready to abide by any stringent conditions that may be imposed by this Court. Hence, he prayed bail for the petitioner.

4. The learned Government Advocate (Criminal Side) appearing for the respondent police reiterated the prosecution case and submitted that there is no previous case against the petitioner. He further submitted that charge sheet has been filed in Spl.S.C.No.178 of 2025. However, he vehemently opposed to grant of bail to the petitioner.

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



6. Considering the nature of allegations, investigation was completed and the case was pending for trial, period of incarceration of the petitioner and also considering the fact that the petitioner has no previous case, 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 learned Fast Track Mahila Court, Tiruppur**, and on further conditions that:-

[b] the petitioner shall report before the concerned trial 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.

30.12.2025

ep/sha

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 Fast Track Mahila Court,
Tiruppur.
2. The Superintendent of Police,
Central Prison, Coimbatore.
3. The State Rep By Its,
Inspector of Police, Dharapuram
All Women Police Station, Tiruppur
District.
4. The Public Prosecutor
High Court of Madras



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P.DHANABAL J.

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