



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 26-12-2025

CORAM

THE HONOURABLE MR.JUSTICE P. DHANABAL

CRL OP No. 35734 of 2025

1. Devaraj

Petitioner(s)

Vs

1. The state rep by, the inspector of
police
Tirutani all women police station,
Tiruvallur district Crime no.60/2025

Respondent(s)

PRAYER

To grant bail to the petitioner / accused in crime no.60 of 2025 pending on the file of the respondent police and thus render justice

For Petitioner(s): M/s.S. Raghuman

For Respondent(s): Mr. S. Vinoth Kumar
Govt. Adv. (Crl. Side)

ORDER

The petitioner / Accused, who was arrested on 13.10.2025 and remanded to judicial custody on the same day for the offences punishable under Sections 87, 127 (2) of POCSO Act and 351 (3) of BNS read with 5 (1), 6 (1) of POCSO Act in Cr. No.60 of 2025 on the file of the respondent police seeks bail.

2. The case of the prosecution is that the petitioner had kidnapped the



victim girl and wrongfully confined her in a lodge and forcibly raped her for three times and committed aggravated penetrative sexual assault on her. Hence the case.

3. The learned counsel for the petitioner would contend that the respondent police have registered a false case against the petitioner under Sections 87, 127 (2) of POCSO Act and 351 (3) of BNS read with 5 (1), 6 (1) of POCSO Act and the petitioner was arrested and remanded to judicial custody on 13.10.2025. The petitioner has nothing to do with this incident. The petitioner is in custody for more than 2 months and hence, he prayed that the petitioner may be released on bail.

4. The learned Government Advocate (Criminal Side) would submit that the petitioner had kidnapped the victim girl and wrongfully confined her in a lodge and forcibly raped her for three times and committed aggravated penetrative sexual assault on her, hence he strongly opposed to grant bail to the petitioner.

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

6. Considering the rival submissions on either side, considering the fact that there is a love affair between the petitioner and the victim girl and the



statement of the victim under Section 183 of the B.N.S.S has been recorded and also considering the period of incarceration of the petitioner from 13.10.2025, I am 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 **Sessions Special Court for Exclusive trial of cases under POCSO Act, Tiruvallur** and on further conditions that:

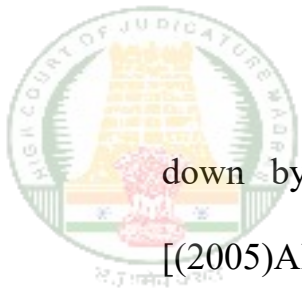
[b] the petitioner shall report before the concerned POCSO Court on all working days at 10.30 a.m. until further orders.

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

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[g] If the accused thereafter absconds, a fresh FIR can be registered under Section 229A IPC.

[h] The petitioner shall not contact the victim girl at any point of time.

26-12-2025

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

1. The state rep by, the inspector of
police
Tirutani all women police station,
Tiruvallur district Crime no.60/2025

2. The Public Prosecutor, Madras High
Court, Chennai.

3. The Sessions Special Court for
Exclusive trial of cases under POCSO
Act, Tiruvallur.

4. Central Prison, Puzhal.



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P.DHANABAL J.

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