



CRL OP(MD). No.1710 of 2025

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT
(Criminal Jurisdiction)

Date : 29/01/2025

PRESENT

The HONOURABLE MR. JUSTICE N.ANAND VENKATESH

CRL OP(MD). No.1710 of 2025

D.Rajagopal,
S/o.Dharmaraj,
D.No.1/121,
Alagapuri,
Palayapalayam,
Marungapuri Taluk,
Trichy District..

... Petitioner/ Accused

Vs

The State of Tamil Nadu,
Rep by Inspector of Police,
Puluthipatti Police Station,
Sivagangai District.
(Crime No.94 of 2024).

... Respondent/Complainant

For Petitioner : Mr.K.Dinesh,
Advocate.

For Respondent : Mr.B,Thanga Aravindh,
Government Advocate (Crl.Side)

PETITION FOR BAIL Under Sec.483 of BNSS

PRAYER :-

for Bail in Crime No.94 of 2024 on the file of the respondent police.



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ORDER : The Court made the following order :-

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The petitioner / Sole Accused, who was arrested and remanded to judicial custody on 20.12.2024 for offences under Sections 5(1) r/w 6 of POCSO Act, 2012 in Crime No.94 of 2024, on the file of the respondent Police, seeks bail.

2. The case of the prosecution is that the petitioner committed penetrative sexual assault on the victim girl.

3. Heard the learned counsel appearing for the petitioner and the learned Government Advocate (Criminal Side) appearing for the respondent Police.

4. This Court carefully went through the statement recorded from the victim girl under Section 183 OF BNSS. There was a love affair between the petitioner and the victim girl and they had eloped and were staying at Palani in a lodge. The petitioner is aged about 19 years. This Court also takes into consideration the fact that the petitioner has suffered incarceration from 20.12.2024.

5. In view of the above, this Court is inclined to grant bail to the petitioner subject to the following conditions.



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6. Accordingly, the criminal original petition is ordered and the petitioner is ordered to be released on bail on 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 Sessions Judge, Principal Special Court for Exclusive Trial of Cases under the POCSO Act, Sivagangai District and on further conditions that:-

[a] the sureties shall affix their photographs and Left Thumb Impression in the surety bond and the Magistrate may obtain a copy of their Aadhar card or Bank pass Book to ensure their identity.

[b] the petitioner shall report before the respondent Police as and when required for interrogation.

[c] the petitioner shall not tamper with evidence or witness either during investigation or trial.

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

[e] On breach of any of the aforesaid conditions, the learned 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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[f] If the accused thereafter absconds, a fresh FIR can be registered under

Section 269 of BNS, 2023.

sd/-

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29/01/2025

Sub-Assistant Registrar ()

Madurai Bench of Madras High Court,
Madurai - 625 023.

TSG

TO

- 1 THE SESSIONS JUDGE,
PRINCIPAL SPECIAL COURT FOR EXCLUSIVE TRIAL
OF CASES UNDER THE POCSO ACT, SIVAGANGAI DISTRICT.
- 2 THE OFFICER INCHARGE,
DISTRICT JAIL, SIVAGANGAI.
- 3 THE INSPECTOR OF POLICE,
PULUTHIPATTI POLICE STATION,
SIVAGANGAI DISTRICT.
- 4 THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.

ORDER

IN

CRL OP(MD) No.1710 of 2025

Date :29/01/2025

SS/SAR- /29/01/2025/ 4P/5C

Madurai Bench of Madras High Court is issuing certified copies in this format from 17/07/2023