

WEB COPY

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Dated : 16.10.2025

PRESENT

The HONOURABLE MRS.JUSTICE S.SRIMATHY

CRL OP(MD)No.17980 of 2025

Gowtham Gambeer

... Petitioner

Vs.

The State of Tamil Nadu,
Rep. By the Inspector of Police,
All Women Police Station,
Theni District.
(Crime No.14 of 2025)

... Respondent

For Petitioner : M/s.S. Boominathan

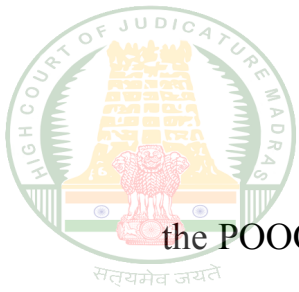
For Respondent : Mr.E.Antony Sahaya Prabahar
Additional Public Prosecutor

PETITION FOR BAIL Under Sec.483 of BNSS, 2023.

PRAYER :- For Bail in Cr.No. 14 of 2025 on the file of the respondent police.

ORDER: The Court made the following order :-

The petitioner/sole accused, who was arrested and remanded to judicial custody on 08.04.2025 for the offences punishable under Sections 7, 8, 9(m) of



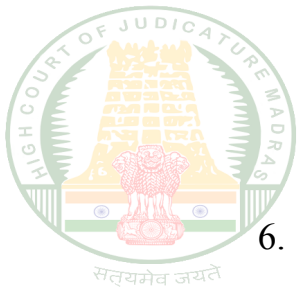
the POOCSO Act, 2012, in Crime No. 14 of 2025, on the file of the respondent police, seeks bail.

2. The case of the prosecution is that on 08.04.2025 at 05.15 p.m., when the victim child was buying biscuits in the shop, the petitioner standing besides the child stroked her in her private part. Hence, this case.

3. The learned counsel for the petitioner submits that the petitioner is an innocent person and he has not committed any offence as alleged by the prosecution. However, he has been arrested and he is languishing in jail from 08.04.2025. Therefore, he prays for grant of bail.

4. The learned Additional Public Prosecutor appearing for the respondent police opposed to grant bail.

5. Considering the facts and circumstances and considering the duration of the custody, this Court is inclined to grant bail to the petitioner on certain conditions.



6. Accordingly, 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 Special Court for Exclusive trial of cases under POCSO Act, Theni, and on further conditions that,

a)the sureties shall affix their photographs and left thumb impression in the surety bond and the Magistrate/concerned court may obtain a copy of their Aadhar card or Bank Pass Book to ensure their identity;

b)the petitioner shall report before the trial Court at 10.30 a.m., until further orders;

c)the petitioner shall not tamper with evidence or witness;

d)the petitioner shall not abscond during 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].

f) If the accused thereafter absconds, a fresh FIR can be registered under Section 269 of BNS.

16.10.2025

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TO

- 1.The Special Court for Exclusive trial of cases under POCSO Act, Theni.
2. The Inspector of Police,
All Women Police Station,
Theni District.
- 3.The Sub Jail, Periyakulam.
- 4.The Additional Public Prosecutor,
Madurai Bench Of Madras High Court,
Madurai.



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ORDER
IN
CRL OP(MD) No.17980 of 2025

Date : 16.10.2025