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CRL OP No. 15627 of 2



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 22-06-2026

CORAM

THE HON'BLE MR.JUSTICE C.KUMARAPPAN

CRL OP No. 15627 of 2026

Hari alias Harish

..Petitioner

Vs

The State Rep by,
The Inspector of Police
Bahour Police Station,
Puducherry.
Crime No.61 of 2026

..Respondent

PRAYER : Criminal Original Petition filed under Section 483 of Bharatiya Nagarik Suraksha Sanhita, 2023, to enlarge the petitioner/ accused on bail in Cr.No.61 of 2026 on the file of the respondent police.

For Petitioner:

Mr. Pradhosh A.R.

For Respondent:

Ms.G.D.Jearany,
Govt.Advocate (Puducherry)

ORDER

The petitioner, who was arrested and remanded to judicial custody on 05.05.2026 for the alleged offences under Sections 4 and 12 of POCSO Act in Crime No.61 of 2026 on the file of the respondent police, seeks bail.

2. The case of the prosecution is that the de facto complainant got



acquainted to the Petitioner through Instagram. On 02.02.2026, the petitioner sexually assaulted the de facto complainant in his home and took photos of the her on his mobile phone and threatened her. Hence, the case.

3. The learned counsel for the petitioner submitted that both the petitioner and the victim were in a relationship. He further submitted that the petitioner is ready to abide by any stringent conditions that may be imposed by this Court. Hence, he prays for grant of bail to the Petitioner.

4. Per contra, the learned Government Advocate (Criminal Side) appearing for the Respondent Police reiterated the prosecution case and strongly opposed the grant of bail to the petitioner.

5. I have given my anxious consideration to either side submissions and perused the materials available on record.

6. Considering the facts and circumstances of the case; taking note of the submission made by the learned Government Advocate (Crl.Side), though, there is allegation under Section 4 of POCSO Act, while reading the 183 statement, there is no allegation in respect of Section 4 against this petitioner in the BNS statement. Hence, taking into consideration of the totality of the circumstances, and the long incarceration of the petitioner and considering the age of the



petitioner, this Court is inclined to grant bail to the petitioner, subject to certain conditions.

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7. Accordingly, the petitioner is ordered to be released on bail on his executing a bond for a sum of **Rs.25,000/- (Rupees Twenty Five Thousand only)** with **two sureties each**, for a like sum to the satisfaction of the **learned Sessions Judge, Fast Track Court exclusively to deal with offence under the POCSO Act, Puducherry**, and on further conditions that:

[a] the sureties shall affix their photographs and Left Thumb Impression in the Application for Surety ship [Judicial Form No.46 annexed to 'The Criminal Rules of Practice, 2019']. The learned Magistrate shall obtain a copy of any one of the identity proofs to ensure their identity;

[b] the petitioner shall report before the respondent police daily at 10.30 a.m., for the period of eight weeks and thereafter, as and when required for interrogation;

[c] the petitioner shall not abscond either during investigation or trial;

[d] the petitioner shall not tamper with the evidence or witness either during investigation or trial;

[e] On breach of any of the aforementioned conditions, the learned Magistrate/Trial Court is entitled to pass appropriate orders against the petitioner in accordance with law as if the aforementioned conditions have been imposed and the petitioner released on bail by the learned Magistrate/Trial Court himself as laid down by the Hon'ble



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Supreme Court in **P.K.Shaji vs. State of Kerala [(2005)13 SCC 283]**;

[f] If the accused thereafter absconds, a fresh FIR can be registered under Section 269 of B.N.S.

22-06-2026

SHL

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 Sessions Judge,
Fast Track Court exclusively
to deal with offence under
the POCSO Act, Puducherry

2. The Inspector of Police
Bahour Police Station,
Puducherry.

3. The Superintendent
Central Prison, Kalapet, Puducherry

4. The Public Prosecutor
High Court of Madras



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C.KUMARAPPAN J.

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