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CRL OP No. 34574 of 2025



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 09-01-2026

CORAM

THE HONOURABLE MR.JUSTICE K.RAJASEKAR

CRL OP No. 34574 of 2025

1. Babu
S/o. Govindasamy, No.4/14, Palla
Street, Thadagam Post, Gingee District,
Villupuram-604 152.

Petitioner(s)

Vs

1. The State rep.by, The Inspector of
Police
AWPS-Thiruvannamalai Police Station,
Thiruvannamalai
District.Tiruvannamalai

Respondent(s)

PRAYER

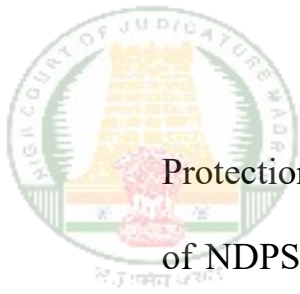
To grant bail to the petitioner pending trial in Spl.SC.No.201 of 2025 on the file of the Honble Special Court for Exclusive trial cases under POCSO Act, Thiruvannamalai.

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

For Respondent(s): Mr.A.Gopinath
Government Advocate(Crl. Side)

ORDER

The petitioner, who was arrested and remanded to judicial custody on 16.02.2025, for the offences punishable under Sections 363, 366, 366(A), 328, 376(2)(n), 376(D), 354(C) of IPC, Sections 5(g), 5(i), 5(l) r/w 6(1) of the



Protection of Children from Sexual Offences Act, 2012 and Sections 8(c), 27(A) of NDPS Act in Crime No.06 of 2025, registered on the file of the respondent police, seeks bail.

2. The case of the prosecution is that, the petitioner herein got acquaintance with the victim and they were in relationship; that thereby the petitioner introduced the victim to drugs and committed penetrative sexual assault and also taken lewd photographs of the victim girl and circulated them among his friends. Hence, this case.

3. The learned counsel appearing for the petitioner submitted that the petitioner has been falsely implicated in this case and he is in judicial custody since 16.02.2025. He further submitted that the petitioner has not administered any drugs to the victim girl to exploit her sexually; and that the petitioner is ready to abide by any conditions that may be imposed by this Court and sought for bail to the petitioner.

4. The learned Government Advocate (Criminal Side) appearing for the respondent while opposing the bail to the petitioner, reiterated the prosecution case; that it is the case of gang rape, totally 10 accused involved in this case and the petitioner herein is arrayed as A1; that the statement of the



victim girl clearly indicated the involvement of this petitioner and the other accused in committing the offence; and that the investigation of this case is still pending.

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

6. This Court earlier dismissed the bail application of the petitioner on 16.10.2025 in Crl.O.P.No.28292 of 2025 and now it is stated that the case is taken up for trial and PW1 is also examined and she has not supported the prosecution case. Considering the fact that already PW1/victim was examined and considering the long period of incarceration of the petitioner, this Court is inclined to grant bail to the petitioner.

7. Accordingly, the petitioner is ordered to be released on bail on his executing a bond for a sum of **Rs.15,000/- (Rupees Fifteen Thousand only)** with two sureties, for a like sum to the satisfaction of the *learned Special Court for Exclusive Trial Cases under POCSO Act, Thiruvannamalai*, 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 Trial Court daily at 10.30 a.m., for a period of six weeks.

[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 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 B.N.S.

09-01-2026

Mpa



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 Special Court for Exclusive Trial Cases under POCSO Act, Thiruvannamalai.

1.The State rep.by, The Inspector of Police

AWPS-Thiruvannamalai Police Station,
Thiruvannamalai
District.Tiruvannamalai.

3.The Superintendent,
Central Prison, Vellore.

4.The Public Prosecutor,
High Court, Madras.



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K.RAJASEKAR J.
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