



CRL OP(MD). No.16623 of 2026

WEB COPY

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

DATE: 21/08/2026

PRESENT

The Hon`ble Mr.Justice K.MURALI SHANKAR

CRL OP(MD) . No.16623 of 2026

Pandi @ Eswarapandi : Petitioner/A1

Vs

1.State through
The Inspector of Police,
Rajathani Police Station,
Theni District.
Crime No.204 of 2026. : Respondent/Complainant

2.C.Dhanalakshmi : Defacto complainant

(Defacto complainant is suo motu
impleaded as per order of this Court,
dated 21.08.2026)

For Petitioner : Mr.T.Eashwar,

For Respondents : Mr.T.Lenin Kumar,
Counsel for State of TN (Crl.Side)

: 2nd Respondent appeared in person.

PETITION FOR BAIL Under Sec.483 of B.N.S.S.

PRAYER :-

For Bail in Crime No.204 of 2026 on the file of
the respondent police.



CRL OP(MD). No.16623 of 2026

WEB COPY

ORDER : The Court made the following order :-

The petitioner/A1, who was arrested and remanded to judicial custody on 03.05.2026 for the offences punishable under Section 87 of BNS 2023 and Sections 7, 8 and 17 of Protection of Children from Sexual Offence Act 2012 and Section 3(2)(va) of SC/ST Act, in Crime No.204 of 2026, on the file of the respondent police, seeks bail.

2.The case of the prosecution is that on 03.05.2026, at about 01.00 p.m., the petitioner enticed the victim girl on the promise of marriage, took her to Kadamalaikundu bus stop, and thereafter took her to his paternal aunt's house. Hence, the complaint.

3.The learned counsel for the petitioner would submit that the petitioner and the victim girl were in love and the victim girl had eloped with the petitioner. He would further submit that the petitioner is in judicial custody from 03.05.2026. Hence, he seeks bail.



CRL OP(MD). No.16623 of 2026

WEB COPY

4. Since the petitioner is charged for the offence under SC/ST Act, the defacto complainant is *suo motu* impleaded as second respondent.

5.The second respondent appeared in person and stated that she had no objection to release the petitioner on bail and she has also given a letter to the said fact.

6.The learned Counsel for State of Tamil Nadu (Criminal Side) appearing for the State of Tamil Nadu produced a copy of the statement recorded from the victim girl, wherein she stated that she was having a love affair with the petitioner and that he had not committed the offence as alleged by the prosecution. He would further submit that charge sheet has already been filed.

7.Considering the above facts and circumstances of the case and also taking note of the stand taken by the



CRL OP(MD). No.16623 of 2026

defacto complainant/2nd respondent and also the statement recorded from the victim and that the investigation has already been completed and that the petitioner is in judicial custody from 03.05.2026, this Court is inclined to grant bail to the petitioner subject to the following conditions:

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 Principal Special Court for Exclusive Trial of cases under POCSO Act, Theni.

(i) 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;

(ii) the petitioner shall report before the respondent police daily at 10.30 a.m., for a period of one month and thereafter, as and when required for interrogation;

(iii) the petitioner shall not tamper with evidence or witness;



CRL OP(MD). No.16623 of 2026

(iv) the petitioner shall not abscond during trial;

(v) 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]***;

(vi) If the accused thereafter abscond, a fresh FIR can be registered under Section 269 BNS, 2023.

(K M S J)
21.08.2026

NCC : Yes/No
Index : Yes/No
Internet: Yes/No
das

TO

- 1.The Principal Special Court for
Exclusive Trial of cases under POCSO Act, Theni.
- 2.The Superintendent of Prison,
District Prison, Thekkampatti, Theni.
- 3.The Inspector of Police,
Rajathani Police Station,
Theni District.
- 4.The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.



WEB COPY



CRL OP(MD). No.16623 of 2026

K.MURALI SHANKAR, J

DAS

Order made in
CRL OP (MD) . No.16623 of 2026

Date : 21/08/2026