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Crl.OP.No.26876 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 08.10.2025

CORAM

THE HONOURABLE MR JUSTICE **K.RAJASEKAR**

Crl.O.P.No.26876 of 2025

Sanjay

... Petitioner

Vs.

The State Rep by
The Inspector of Police,
Sirkazhi All Woman Police Station,
Mayiladuthurai District.
(Cr.No.27 of 2025)

... Respondent

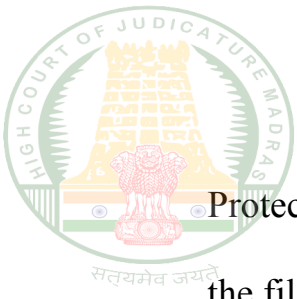
PRAYER : Criminal Original Petition filed under Section 483 of Bharatiya Nagarik Suraksha Sanhita, 2023, to enlarge the petitioner on bail in Cr.No.27 of 2025 (on the file of the Sirkazhi All Woman Police Station, Mayiladuthurai District) pending investigation on the file of the respondent police.

For Petitioner : Mr.S.Sugumar

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

ORDER

The petitioner, who was arrested and remanded to judicial custody on 23.08.2025 for the alleged offence under Section 6 r/w 5(1) and 8 r/w 7 of



Protection of Child from Sexual Offences Act in Crime No.27 of 2025 on the file of the respondent police, seeks bail.

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2. The case of the prosecution is that the petitioner is a relative of the victim girl. He was stayed at victim girl's house. Taking advantage of the said circumstances, he seduced her and had aggravated penetrative sexual assault. Hence, the case.

3. The learned counsel appearing for the petitioner submitted that the petitioner is a close relative of the victim girl. The petitioner and the victim girl had loved each other. The petitioner is in judicial custody from 23.08.2025. He further submitted that the petitioner is ready to abide by any conditions that may be imposed by this Court. Hence, he prays to grant bail to the petitioner.

4. The learned Government Advocate (Criminal Side) appearing for the respondent police reiterated the prosecution case and submitted that the petitioner pretending himself as a lover of the victim girl and had committed aggravated penetrative sexual assault. The another accused also came to know about this relationship, and by taking advantage, sexually harassed her. He further submitted that the statement of the victim girl recorded under Section 183 of BNS before the learned Magistrate. Hence, he



opposed to grant bail to the petitioner.

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5. Heard both sides and I have gone through the the statement of the victim girl recorded under Section 183 of BNS before the learned Magistrate.

6. Considering the facts and circumstances of the case, the submissions made by both counsel, the petitioner is in custody from 23.08.2025, and also the averments made by the victim reveals various facts including the long standing relationships between the victim and the petitioner, I am inclined to grant bail to the petitioner with certain conditions.

7. Accordingly, the petitioner is ordered to be released on bail on his executing a bond for a sum of **Rs.20,000/- (Rupees Twenty Thousand only)** with **two sureties**, for a like sum to the satisfaction of the learned **District and Sessions Judge, Mayiladuthurai District** 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



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their identity;

[b] the petitioner shall stay at Thanjavur and report before the Inspector of Police, Town Police Station, Thanjavur daily at 10.30 a.m., until further orders, except on the hearing dates fixed by the Trial Court concerned. It is made clear that the petitioner shall not enter into the jurisdictional limit of the respondent police other than the hearing dates before the Trial Court, until further orders;

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

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

08.10.2025

Vv

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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 District and Sessions Judge, Mayiladuthurai
2. The Inspector of Police,
All Women Police Station,
Mayiladuthurai District.
3. The Central Prison,
4. The Public Prosecutor,
High Court of Madras.



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K.RAJASEKAR, J.

Vv

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