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Crl.O.P.No.30060 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 05.11.2025

CORAM:

THE HON'BLE MR. JUSTICE A.D.JAGADISH CHANDIRA

Crl.O.P.No.30060 of 2025

Surenthiran

... Petitioner

Vs.

1. Maithili

2. The State represented by,
The Inspector of Police,
All Women Police Station,
Mayiladuthurai District.

... Respondents

PRAYER : Criminal Original Petition is filed under Section 528 of Bharatiya Nagarik Suraksha Sanhita, to set aside the order passed in Crl.M.P.No.2547 of 2024 in S.S.C.No.169 of 2024 on the file of the learned District and Sessions Judge, Mayiladuthurai, dated 03.02.2025.

For Petitioner : Mr.K.Rajamohan

For R2 : Mr.R.Vinothraja

Government Advocate (Criminal Side)



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ORDER

This Criminal Original Petition has been filed seeking to set aside the order passed by the District and Sessions Court, Mayiladuthurai, in Crl.M.P.No.2547 of 2024 in S.S.C.No.169 of 2024, on 03.02.2025, cancelling the bail granted to the petitioner in Crime No.50 of 2023.

2. The brief facts of the case are as follows :-

2.1. The petitioner, who is alleged to have committed sexual assault on the de facto complainant's daughter, is an accused facing trial in S.S.C.No.169 of 2024, before the District and Sessions Court, Mayiladuthurai, in connection with Crime No.50 of 2023 registered on the file of the second respondent Police for the offences under Sections 8 and 7 of the POCSO Act.

2.2. Earlier, the petitioner was arrested and subsequently, granted bail by the learned Sessions Judge, Special Court under the POCSO Act, Nagapattinam, in Crl.M.P.No.57 of 2024, dated 23.01.2024.

2.3. Thereafter, on 18.07.2024, at about 01.30 a.m., the petitioner/accused trespassed into the house of the de facto complainant and



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again committed sexual assault on the victim girl. Consequently, a case in Crime No.263 of 2024 was registered for the offences under Sections 8 and 7 of the POCSO Act.

2.4. Subsequently, in the petition filed by the first respondent/de facto complainant in Crl.M.P.No.2547 of 2024 in S.S.C.No.169 of 2024, the learned District and Sessions Judge, Mayiladuthurai, finding that the petitioner/accused has violated the bail conditions, by an order dated 03.02.2025 allowed the petition and cancelled the bail earlier granted to him. Challenging the said order, the present petition has been filed.

3. Learned counsel appearing for the petitioner submitted that the petition seeking cancellation of bail was filed based on a false complaint and that the learned District and Sessions Judge, without properly appreciating the materials available on record, has erroneously allowed the petition on 03.02.2025. Hence, he prayed to set aside the impugned order.

4. Per contra, the learned Government Advocate (Criminal Side) reiterated the prosecution case and submitted that the petitioner had



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approached this Court seeking anticipatory bail in Crime No.263 of 2024 and the same was dismissed. He also submitted that the bail granted to the petitioner in connection with Crime No.50 of 2023 was cancelled on 03.02.2025 and that till date, the petitioner has been absconding, resulting in no progress in the trial.

5. Having heard the learned counsel on either side and upon perusal of the materials available on record, this Court finds no illegality or infirmity in the order passed by the Sessions Court in Crl.M.P.No.2547 of 2024 in S.S.C.No.169 of 2024. Accordingly, this Criminal Original Petition stands dismissed. The petitioner is directed to surrender before the trial Court and co-operate with the trial.

05.11.2025

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Neutral Citation: Yes/No

To

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

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A.D.JAGADISH CHANDIRA, J.

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