



CRL OP(MD). No.195 of 2025

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 06/02/2025

PRESENT

THE HONOURABLE **MR. JUSTICE R. SAKTHIVEL**

CRL OP(MD). No.195 of 2025

Ramanathan

... Petitioner/Sole Accused

Vs

The State of Tamil Nadu,
Rep. by the Inspector of Police,
All Women Police Station, Pudukkottai,
Thoothukudi District.
Crime No. 09/2024.

... Respondent/Complainant

For Petitioner : Mr.KA.Raamakrishnan,

For Respondent : Mr.R.Meenakshi Sundaram,
Additional Public Prosecutor

PETITION FOR BAIL Under Sec.483 of BNSS

PRAYER :-

To enlarge the petitioner / Sole Accused on bail in Crime No. 09/2024 in Spl S.C No. 146 of 2024 and is pending on the file of the Special Court for POCSO Cases, Thoothukudi, Thoothukudi District.



CRL OP(MD). No.195 of 2025

ORDER : The Court made the following order :-

WEB COPY

This Criminal Original Petition has been filed by the petitioner on 03.01.2025 under Section 483 of Bharatiya Nagarik Suraksha Sanhita (BNSS), 2023, praying to grant bail.

2. The petitioner/ Sole Accused was arrested and remanded to judicial custody on 17.08.2024 for the alleged offences punishable under Section 506(ii) of IPC and Sections 5(l), 5(n), 5(m), 5(i) r/w 6 of the Prevention of Children from Sexual Offences Act, 2012 in Spl.S.C.No.146 of 2024 on the file of the Special Court for POCSO Act Cases, Tuticorin, in Crime No.9 of 2024 on the file of the respondent police.

3. The case of the prosecution is that the petitioner is the father of the victim. The petitioner sexually assaulted and sexually harassed his 13 years old daughter. Hence, the complaint.

4. Mr.KA.Raamakrishnan, learned counsel appearing for the petitioner, would submit that the petitioner has nothing to do with the alleged offence and a false case has been foisted against the petitioner. He would further submit that the petitioner has been in judicial custody since 17.08.2024 and he is ready to abide by any stringent conditions that may be imposed by this Court. He would further submit that the family dispute has been twisted into the above case. Therefore, he prays for granting bail to the petitioner.



CRL OP(MD). No.195 of 2025

5. *Per contra*, Mr.R.Meenakshi Sundaram, learned Additional Public Prosecutor

appearing for the respondent police, would submit that trial was commenced in Spl.S.C.No.146 of 2024 and the victim was examined as P.W.1 on 29.01.2025 and the case was directed to be posted on 07.02.2025 for further examination of prosecution side witnesses. He would contend that if the petitioner is released on bail, he may cause threat to the defacto complainant. Hence, he prayed for dismissal of this petition.

6. Heard on both sides. This Court has perused the records.

7. The petitioner was arrested on 17.08.2024 and he has been in incarceration from 17.08.2024 till date. On perusing the records, it reveals the fact that the petitioner has permanent residence and deep roots in the society. Hence, there is less possibility of absconding. With a view to give one more opportunity to reform himself and considering the period of incarceration and stage of the trial, this Court is inclined to grant bail to the petitioner, however, subject to certain conditions. Accordingly, bail is granted to the petitioner subject to the following conditions:

(i) The petitioner shall execute a **bond for Rs.25,000/-** (Rupees Twenty Five



CRL OP(MD). No.195 of 2025

Thousand only) along with two sureties each for a like sum of Rs.25,000/- (Rupees Twenty Five Thousand Only) to the satisfaction of the learned Sessions Judge, Special Court for POCSO Act Cases, Tuticorin, Tuticorin District. Among two sureties, one shall be a blood surety;

(ii) The sureties shall affix their photographs and left thumb impression in the Application for Suretyship [Judicial Form No.46 annexed to 'The Criminal Rules of Practice, 2019]. The learned Sessions Judge, Special Court for POCSO Act Cases, Tuticorin, shall obtain a copy of any one of identity proofs to ensure their identity;

(iii) The petitioner shall furnish his residential address and mobile number;

(iv) The petitioner shall stay at Kovilpatti and appear and sign before the learned Sessions Judge, Special Court for POCSO Act Cases, Tuticorin, on all hearing days;

(v) The petitioner should not enter into the residence of the defacto complainant until further orders;



CRL OP(MD). No.195 of 2025

WEB COPY

(vi) The petitioner shall not, directly or indirectly, cause any threat to the defacto complainant and witnesses and shall not tamper the evidence; and

(vii) On breach of any of the aforementioned conditions, the learned Sessions Judge, Special Court for POCSO Act Cases, Tuticorin, is entitled to pass appropriate orders against the petitioner in accordance with law as if the aforementioned conditions are imposed by him as laid down by the Hon'ble Supreme Court in *P.K. Shaji vs. State of Kerala* [(2005) 13 SCC 283].'

8. Accordingly, this Criminal Original Petition is allowed subject to the conditions stated *supra*.

sd/-
06/02/2025

/ TRUE COPY /

06/02/2025
Sub-Assistant Registrar (C.S. I / II / III / IV)
Madurai Bench of Madras High Court,
Madurai - 625 023.

RMK

TO

1 THE SESSIONS JUDGE, SPECIAL
COURT FOR POCSO ACT CASES, TUTICORIN,
TUTICORIN DISTRICT



CRL OP(MD). No.195 of 2025

- 2 THE INSPECTOR OF POLICE,
ALL WOMEN POLICE STATION, PUDUKKOTTAI,
THOOTHUKUDI DISTRICT.
- 3 THE OFFICER INCHARGE,
PERURANI DISTRICT PRISON, TUTICORIN DISTRICT.
- 4 THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.

+1 CC to M/s.KA.RAAMAKRISHNAN, Advocate (SR-1432[I] dated 06/02/2025)

ORDER
IN
CRL OP(MD) No.195 of 2025
Date :06/02/2025

SS/SKN/SAR- /06/02/2025/ 6P/6C

Madurai Bench of Madras High Court is issuing certified copies in this format from 17/07/2023