



CRL OP (MD) No.1519 of 2025

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

( Criminal Jurisdiction )

Date : 05/03/2025

PRESENT

THE HONOURABLE MR. JUSTICE R. SAKTHIVEL

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Chairma Selvam,  
S/o Muthunainar,  
No.16G, Kamarajar Street,  
Kizhapuliyur,  
Tenkasi District.

... Petitioner/Sole Accused

Vs

The State of Tamil Nadu,  
Rep. by the Inspector of Police,  
All Women Police Station,  
Tenkasi District.  
Crime No.3/2025

... Respondent/Complainant

For Petitioner : Mr.M.Raja Ravi Varma,  
Advocate.

For Respondent : Mr.K.Sanjai Gandhi,  
Government Advocate (Crl.Side)

PETITION FOR BAIL Under Sec.483 of BNSS



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PRAYER:-

For Bail in Crime No.3 of 2025 on the file of the respondent-police.

ORDER : The Court made the following order :-

his Criminal Original Petition has been filed by the petitioner on 23.01.2025 under Section 483 of the Bharatiya Nagarik Suraksha Sanhita (BNSS) praying to grant bail.

2. The petitioner/Sole Accused was arrested and remanded to judicial custody on 17.01.2025 for the offences punishable under Sections 11(4) and 12 of the Protection of Child from Sexual Offences Act, 2012 in Crime No.3 of 2025 on the file of the respondent-Police.

3. The case of the prosecution is that the victim girl was studying in the 9th standard. The petitioner and the victim girl were in love with each other. Since the parents of the victim girl warned her, she stopped talking to the petitioner. However, the petitioner repeatedly harassed the victim girl and followed her, stating that he was deeply in love with her. After some time, the petitioner made a phone call to a neighboring boy. On knowing of this, the brother of the victim girl scolded her,



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leading to a dispute between the two families. The victim girl is said to have thereafter attempted to commit suicide, but fortunately, she was out of danger. At that time, her statement was recorded by the police, and the present FIR was registered.

4. Mr.M.Raja Ravi Varma, learned counsel appearing for the petitioner, submits that the petitioner has nothing to do with the alleged offence, and that a false case has been foisted against him. He further submits that, in fact, the victim girl contacted the petitioner under the guise of love, and although the petitioner advised her to stay away from him and focus on her studies, she did not heed his advice. He further submits that due to the mental pressure exerted by the victim girl's parents, who believed that both the petitioner and the victim girl were in love with each other, she attempted to commit suicide, and that the petitioner is in no way connected with the crime. He, however, submits that the petitioner is ready to abide by any conditions that may be imposed by this Court. He further submits that the petitioner has been in incarceration since 17.01.2025. Therefore, he prays for granting bail to the petitioner.

5. *Per contra*, Mr.K.Sanjai Gandhi, learned Government Advocate (Criminal Side) appearing for the respondent-police, submits that the petitioner has



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continuously harassed the victim girl whenever she goes to school and returns home, and that due to this harassment, the victim girl attempted to commit suicide. Therefore, if bail is granted to the petitioner, he will again harass the victim girl, cause a threat to the witnesses, and delay the investigation. Therefore, he vehemently opposes to grant bail to the petitioner.

6. Heard on both sides. This Court has perused the records and the statement recorded from the victim girl under Section 183 of BNSS.

7. The petitioner has permanent residence and deep roots in the society and therefore, there is less possibility of absconding. Considering the same and considering nature of offence allegedly committed by the petitioner and the period of incarceration, and with a view to give an opportunity to the petitioner to reform himself, this Court is inclined to grant an order of bail to the petitioner, however, subject to the following conditions:

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

Sessions Judge, Tenkasi District;



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(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 Principal District and Sessions Judge, Tenkasi District shall obtain a copy of any one of identity proofs to ensure their identity;

(iii) The petitioner shall attend in accordance with the conditions of the bond to be executed under Chapter XXXV of BNS, 2023;

(iv) The petitioner shall not commit an offence similar to the offence of he is accused, or suspected, of the commission of which he is suspected;

(v) The petitioner shall not directly or indirectly make any inducement, threat or promise to any person acquainted with the facts of the case so as to dissuade him from disclosing such facts to the Court or to any police officer or tamper with the evidence;

(vi) The petitioner shall furnish his residential address and mobile number to the learned Principal District and Sessions Judge, Tenkasi District;



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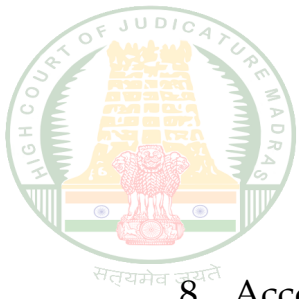
(vii) The petitioner shall not directly or indirectly cause any threat to the victim girl, her family members, and witnesses and shall not tamper with the evidence;

(viii) The petitioner shall not enter into the residence of the victim girl until further orders.

(ix) The petitioner shall not contact the victim girl or her family members through his men or agent or any other electronic gadgets.

(x) The petitioner shall stay at Surandai, Tenkasi District and appear and sign before the learned Principal District and Sessions Judge, Tenkasi District weekly once (i.e., on Monday) at 10.30 a.m., until further orders; and

(xi) On breach of any of the aforementioned conditions, learned Principal District and Sessions Judge, Tenkasi District 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].



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

sd/-  
05/03/2025

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05/03/2025

Sub-Assistant Registrar ( )  
Madurai Bench of Madras High Court,  
Madurai - 625 023.

TSG  
TO

- 1 THE PRINCIPAL DISTRICT AND  
SESSIONS JUDGE, TENKASI DISTRICT.
- 2 THE INSPECTOR OF POLICE,  
ALL WOMEN POLICE STATION,  
TENKASI DISTRICT.
- 3 THE SUPERINTENDENT,  
CENTRAL PRISON, PALAYAMKOTTAI.
- 4 THE ADDITIONAL PUBLIC PROSECUTOR,  
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.

ORDER  
IN

CRL OP(MD) No.1519 of 2025  
Date :05/03/2025

SS/SAR- /05/03/2025/ 7P/5C

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