



CRL OP (MD) No.1722 of 2025

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 17/03/2025

PRESENT

THE HONOURABLE MR. JUSTICE R. SAKTHIVEL

CRL OP (MD) No.1722 of 2025

Ranjith Kumar @ Ranjith,
S/o.Thiruppathi,
MGR Nagar,
Madapuram Vilakku,
Thiruppuvanam Taluk,
Sivagangai District.

... Petitioner/Sole Accused

Vs

The State of Tamil Nadu,
Through Inspector of Police,
All Women Police Station,
Manamadurai,
Sivagangai District.
(Crime No. 13/2024)

... Respondent/Complainant

For Petitioner : Mr.S.Ramsundarvijayraj,
Advocate.

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



CRL OP (MD) No.1722 of 2025

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PETITION FOR BAIL Under Sec.483 of BNSS

PRAYER :-

For Bail in Crime No.13 of 2024 on the file of the respondent-police.

ORDER : The Court made the following order :-

This Criminal Original Petition has been filed by the petitioner on 27.01.2025 under Section 483 of the Bharatiya Nagarik Suraksha Sanhita (BNSS), 2023, praying to grant bail.

2. The petitioner/sole accused was arrested and remanded to judicial custody on 17.12.2024 for the offences punishable under Section 3 r/w Section 4 of the POCSO Act, 2012 & Sections 123 and 351(2) of BNS, 2023, in Crime No.13 of 2024 on the file of the respondent-police.

3. The case of the prosecution is that on 08.12.2024, at about 6:30 p.m., when the defacto complainant's minor daughter, after providing food to her father, was returning home, the petitioner/sole accused approached her, offered her a Bovonto bottle containing alcohol, and insisted her to drink it. After some time, she drank the beverage and became unconscious. The accused then sexually assaulted the victim girl. Hence, the complaint.



CRL OP (MD) No.1722 of 2025

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4. Mr.S.Ramsundarvijayraj, learned counsel appearing for the petitioner, submits that the petitioner has nothing to do with the alleged offence, and a false case has been foisted against the petitioner. He further submits that the petitioner is aged about 27 years. He however submits that he is ready to abide by any stringent conditions that may be imposed by this Court. He further submits that the petitioner has been in judicial custody since 17.12.2024. 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 victim girl is aged about 14 years. He further submits that the investigation has been completed and the same has been taken on file by the Special Court for Exclusive Trial of Cases under the POCSO Act, Sivagangai in Spl.S.C.No.21 of 2025. He further submits that if the petitioner is enlarged on bail, he may cause threat to the defacto complainant, the victim girl and other witnesses and thereby, delay the trial proceedings. Accordingly, he strongly opposes to grant bail to the petitioner.

6. This Court has considered the submissions made on either side. This Court has perused the First Information Report and the statement recorded from the victim girl under Section 183 of BNSS.



CRL OP (MD) No.1722 of 2025

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7. In view of the allegation made in the First Information Report and in view of the statement recorded from the victim girl under Section 183 of BNSS, 2023, this Court is of the opinion that further custody of the petitioner is not necessary in this case. Considering the same, and also considering the fact that the petitioner has permanent residence and deep roots in the society, and therefore, there is less possibility of absconding and the period of incarceration suffered by the petitioner, 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 Special Judge, Special Court for Exclusive Trial of Cases under POCSO Act, Sivagangai;

(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 Special Judge, Special Court for Exclusive Trial of Cases under POCSO Act, Sivagangai, shall obtain a copy of any one of identity proofs to ensure their identity;



CRL OP (MD) No.1722 of 2025

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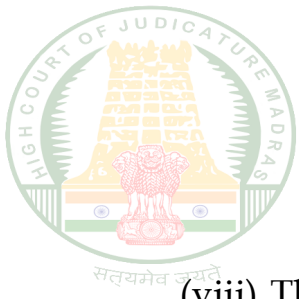
(iii) The petitioner shall attend in accordance with the conditions of the bond to be executed under Chapter XXXV of BNS, 2023;

(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 not directly or indirectly cause any threat to the defacto complainant, victim girl and the witnesses and shall not contact the victim girl through his men or agent or any other electronic mode;

(vii) The petition shall not enter into Thirupuvanam Taluk Limit, Sivagangai District until further orders;



CRL OP (MD) No.1722 of 2025

WEB COPY

(viii) The petitioner shall furnish his residential address and mobile number to the learned Special Judge, Special Court for Exclusive Trial of Cases under POCSO Act, Sivagangai;

(ix) The petitioner shall stay at Virudhunagar and appear and sign before the Inspector of Police, Bazaar Police Station, Virudhunagar, daily at 10.00 a.m., and 05.00 p.m., until further orders except on the hearing dates before the trial Court;

(x) The petitioner shall appear before the trial Court on all hearing dates whenever the Court requires his appearance, without fail; and

(xi) On breach of any of the aforementioned conditions, the learned Special Judge, Special Court for Exclusive Trial of Cases under POCSO Act, Sivagangai, 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].

(xii)



CRL OP (MD) No.1722 of 2025

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

sd/-
17/03/2025

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17/03/2025

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

TSG

TO

- 1 THE SPECIAL JUDGE,
SPECIAL COURT FOR EXCLUSIVE TRIAL OF CASES
UNDER POCSO ACT, SIVAGANGAI.
- 2 THE INSPECTOR OF POLICE,
ALL WOMEN POLICE STATION,
MANAMADURAI,
SIVAGANGAI DISTRICT.
- 3 THE SUPERINTENDENT,
CENTRAL PRISON, MADURAI.
- 4 THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.

COPY TO:
THE INSPECTOR OF POLICE,
BAZAAR POLICE STATION, VIRUDHUNAGAR.



CRL OP (MD) No.1722 of 2025

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+1 CC to M/s.S.RAMSUNDARVIJAYRAJ, Advocate (SR-2901[I] dated 17/03/2025)

ORDER

IN

CRL OP(MD) No.1722 of 2025

Date :17/03/2025

SS/SAR- /17/03/2025/ 8P/7C

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