



CRL OP(MD). No.2044 of 2025

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 31/01/2025

PRESENT

The HONOURABLE MR. JUSTICE N.ANAND VENKATESH

CRL OP(MD). No.2044 of 2025

Senthamarai

... Petitioner/ Accused 2

Vs

The State of Tamilnadu,
Rep by the Inspector of Police,
Thirumayam All Women Police Station,
Pudukottai District.
Crime No.187 of 2024.

... Respondent/ Complainant

For Petitioner : Mr.P.Muthusamy, Advocate

For Respondent : Mr.S.Ravi,
Additional Public Prosecutor

PETITION FOR BAIL Under Sec.483 of BNSS

PRAYER :- For Bail in Crime No.187 of 2024 on the file of the Respondent Police.

ORDER : The Court made the following order :-

The petitioner/A2, who was arrested and remanded to judicial custody on 09.01.2025 for the offences under Sections 5(1), 5(j)(ii), 6(1), 17 of POCSO Amendment Act, 2019 and Section 9 of Prohibition of Child Marriage Act in Crime No.187 of 2024



on the file of the respondent police, seeks bail.

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2. The case of the prosecution is that the victim girl had a love affair with the son of the petitioner. They started moving closely and as a result, the victim girl became pregnant. As a result, the father of the victim girl lodged the complaint. There are totally three accused persons in this case and the petitioner has been arrayed as A2 and she is the mother of A1.

3. Heard the learned Counsel appearing on either side.

4. Taking into consideration the facts and circumstances of the case and considering the fact that there was a love affair between the victim girl and the son of the petitioner and also considering the fact that this petitioner has already suffered incarceration from 09.01.2025, this Court is inclined to grant bail to the petitioner subject to the following conditions.

5. Accordingly, the criminal original petition is ordered and the petitioner is ordered to be released on bail on executing a bond for a sum of Rs.10,000/- (Rupees ten thousand only) with two sureties, each for a like sum to the satisfaction of the learned Session Judge, Mahila Court, Pudukottai District, and on further conditions that:-

[a] the sureties shall affix their photographs and Left Thumb Impression in the surety bond and the Magistrate may obtain a copy of their Aadhar card or Bank pass



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Book to ensure their identity.

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[b] the petitioner shall report before the respondent police as and when required for interrogation.

[c] the petitioner shall appear before the trial Court during every hearing date without fail.

[d] the petitioner shall not tamper with evidence or witness either during investigation or trial.

[e] the petitioner shall not abscond either during investigation or trial.

[f] On breach of any of the aforesaid conditions, the learned Magistrate/Trial Court is entitled to take appropriate action against the petitioner in accordance with law as if the 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)AIR SCW 5560].

[g] If the accused thereafter absconds, a fresh FIR can be registered under Section 269 BNS 2023.

sd/-

31/01/2025

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31/01/2025

Sub-Assistant Registrar

(C.S. I / II / III / IV)

Madurai Bench of Madras High Court,

Madurai - 625 023.



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LR

TO

1 THE SESSIONS JUDGE,
MAHILA COURT, PUDUKOTTAI DISTRICT.

2 THE OFFICER INCHARGE,
WOMEN PRISON, TRICHY.

3 THE INSPECTOR OF POLICE,
THIRUMAYAM ALL WOMEN POLICE STATION,
PUDUKOTTAI DISTRICT.

4 THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT,
MADURAI.

+1 CC to M/s.P.MUTHUSAMY, Advocate (SR-1240[I] dated 31/01/2025)

ORDER IN
CRL OP(MD) No.2044 of 2025
Date :31/01/2025

SA/SAR. /31.01.2025/4P/6C

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