



CRL OP(MD) No.3592 of 2025

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 26/02/2025

PRESENT

THE HONOURABLE MR. JUSTICE R. SAKTHIVEL

CRL OP(MD) No.3592 of 2025

Mohamed Ajith Rahuman @ Ajithra Rahuman

... Petitioner/Petitioner
/Petitioner/Sole Accused

Vs

The State of Tamil Nadu,
Rep. by the Inspector of Police,
R.S.Mangalam Police Station,
Ramanathapuram District.
Crime No.299/2024

... Respondent/Complainant

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

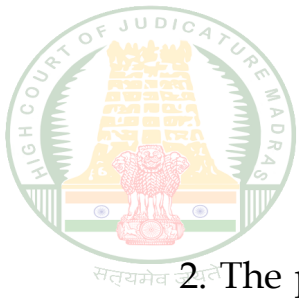
PETITION FOR BAIL Under Sec.483 of BNSS

PRAYER :-

For Bail in Crime No.299 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 24.02.2025 under Section 483 of the Bharatiya Nagarik Suraksha Sanhita (BNSS) praying to grant bail.



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2. The petitioner/Sole Accused was arrested and remanded to judicial custody on 27.11.2024 for the offences punishable under Sections 384, 294(b), 506(i) of IPC and Sections 7, 8, 11(1), 11(5) and 12 of Protection of Child from Sexual Offences Act, 2012, in Crime No.299 of 2024, on the file of the respondent-police.

3. The case of the prosecution is that the petitioner, a school van driver, transported the victim girl to school in a van owned and driven by him. During these trips, the petitioner allegedly assaulted the victim by exposing his genitals, misbehaved with her, and recorded the incidents on his mobile phone. He then demanded Rs.3,00,000/- from her, threatening to send the video to her relatives if she did not give the amount. Fearing this, the victim took approximately 6½ sovereigns of jewels from her home and gave them to the petitioner, who subsequently pawned them for Rs.2,20,810/-. Hence, the case.

4. Mr.K.Sathiya Chidambaram, the learned counsel appearing for the petitioner, submits that a false case has been foisted against the petitioner and the petitioner did not commit any offence as alleged by the prosecution. He further submits that the investigation in this case has already been completed and the charge sheet is yet to be filed by the respondent-Police. He however submits that the petitioner is ready to abide by any conditions to be imposed by this Court. He therefore prays to grant bail to the petitioner.



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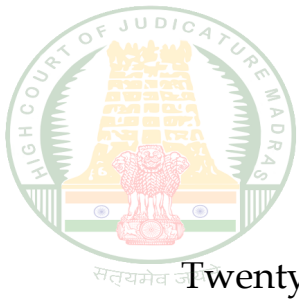
5. Mr.K. Sanjai Gandhi, learned Government Advocate (Criminal Side)
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appearing for the respondent-police, submits that this is the third bail petition, and the earlier bail petition filed by the petitioner was dismissed by this Court vide order dated 04.02.2025 in Crl.O.P(MD) No. 2216 of 2025. Another bail petition filed by the petitioner in Crl.O.P(MD) No. 22545 of 2024 was withdrawn by the petitioner on 19.12.2024. He further submits that the investigation in this case has already been completed and the charge sheet is going to be filed shortly. He further submits that if the petitioner is enlarged on bail, he will cause threat to the defacto complainant, the victim girl and witnesses. Hence, he prays to dismiss this Criminal Original Petition.

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

7. In view of the change of circumstances, this Court is of the view that the further custody of the petitioner is not necessary in this case. Considering the same and also considering the period of incarceration and taking note of the fact that the petitioner has permanent residence and therefore, there is less possibility of absconding, 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



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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 Sessions Judge, Fast Track Court/Mahila Court (Mahaleer Neethimandram), Ramanathapuram District.

(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 Sessions Judge, Fast Track Court/Mahila Court (Mahaleer Neethimandram), Ramanathapuram 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 also not directly or indirectly cause threat to



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the defacto complainant, the victim girl and her family members;

(vii) The petitioner shall furnish his residential address and mobile number to the learned Principal Sessions Judge, Fast Track Court/Mahila Court (Mahaleer Neethimandram), Ramanathapuram District;

(viii) The petitioner shall appear and sign before the learned Principal Sessions Judge, Fast Track Court/Mahila Court (Mahaleer Neethimandram), Ramanathapuram District daily at 10.30 am until further orders;

(ix) The petitioner should not enter into the defacto complainant's house or school where the victim girl is studying;

(x) The petitioner shall not try to contact the defacto complainant or the victim girl either directly or through any electronic mode; and

(xi) On breach of any of the aforementioned conditions, the learned Principal Sessions Judge, Fast Track Court/Mahila Court (Mahaleer Neethimandram), Ramanathapuram 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/-
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26/02/2025
Sub-Assistant Registrar
Madurai Bench of Madras High Court,
Madurai - 625 023.

TRP
TO

- 1 THE PRINCIPAL SESSIONS JUDGE
FAST TRACK COURT / MAHILA COURT (MAHALEER NEETHIMANDRAM),
RAMANATHAPURAM DISTRICT.
- 2 THE OFFICER INCHARGE, DISTRICT PRISON, RAMANATHAPURAM.
- 3 THE INSPECTOR OF POLICE, R.S MANGALAM POLICE STATION,
RAMANATHAPURAM DISTRICT.
- 4 THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.

ORDER IN
CRL OP(MD) No.3592 of 2025
Date :26/02/2025

RS/IT/SAR-(26.02.2025) 6P 5C
Madurai Bench of Madras High Court is issuing
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