



CRL OP(MD). No.3493 of 2025

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 25/02/2025

PRESENT

THE HONOURABLE MR. JUSTICE R. SAKTHIVEL

CRL OP(MD). No.3493 of 2025

Manikandan,
S/o Narayanan,
Krishnapuram,
AITUC Colony,
Peyanvilai,
Arumuganeri Post,
Tiruchendur Taluk,
Thoothukudi District.

... Petitioner/Sole Accused

Vs

The State of Tamil Nadu,
Rep by the Inspector of Police,
All Women Police Station,
Tiruchendur,
Thoothukudi District.
Crime No.2/2025.

... Respondent/Complainant

For Petitioner : Mr.N.Pragalathan,
Advocate

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



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PETITION FOR BAIL Under Sec.483 of BNSS

PRAYER :-

For Bail in Crime No.2 of 2025 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 21.02.2025 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 11.01.2025 for the offences punishable under Sections 5(1) and 6 of Protection of Child from Sexual Offences Act, 2012 and Section 351(2) of the BNS, 2023 in Crime No.2 of 2025 on the file of the respondent-Police.

3. The case of the prosecution is that on 30.06.2024, at about 11.00 a.m., when the defacto complainant was not present at her house, the petitioner came to the house and sexually assaulted the defacto complainant's daughter / victim girl, who is aged about 16 years several times. Hence, the complaint.

4. Mr.N.Pragalathan, the learned counsel appearing for the petitioner, submits that the petitioner has been falsely implicated in this case and he did not commit any offence as alleged by the prosecution. He further submits that the petitioner is ready



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to abide by any conditions to be imposed by this Court. He further submits that the petitioner has been in judicial custody since 11.01.2025. He therefore prays to grant bail to the petitioner.

5. *Per contra*, Mr.K.Sanjai Gandhi, learned Government Advocate (Criminal Side) appearing for the respondent-police, submits that if the petitioner is released on bail, he may cause a threat to the defacto complainant and victim girl. Hence, 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. In view of the facts and circumstances of the case, this Court is of the view that if bail is granted to the petitioner, he may cause threat to the victim girl and other witnesses, thereby delaying the investigation. Considering the same and keeping in mind the interests of the victim girl, this Court is not inclined to grant bail to the petitioner.

8. Accordingly, this Criminal Original Petition stands dismissed.

sd/-
25/02/2025

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/03/2025
Sub-Assistant Registrar (C.S. I / II / III / IV)
Madurai Bench of Madras High Court,
Madurai - 625 023.



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TO

- 1 THE INSPECTOR OF POLICE,
ALL WOMEN POLICE STATION,
TIRUCHENDUR,
THOOTHUKUDI DISTRICT.
- 2 THE OFFICER INCHARGE,
DISTRICT JAIL, PERURANI,
THOOTHUKUDI DISTRICT.
- 3 THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.

ORDER

IN

CRL OP(MD) No.3493 of 2025

Date :25/02/2025

SS/SKN/SAR- /10/03/2025/ 4P/4C

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