



CRL OP(MD). No.3960 of 2025

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 03/03/2025

PRESENT

THE HONOURABLE MR. JUSTICE R. SAKTHIVEL

CRL OP(MD). No.3960 of 2025

A.Kamatchi,
S/o.Ayyavu,
D No.41/9, Masthanpatti,
Madurai 20.

... Petitioner/Sole Accused

Vs

The State of Tamilnadu,
Rep by the Inspector of Police,
All Women Police Station,
Tallakulam,
Madurai District.
Crime No.44/2024.

... Respondent/Complainant

For Petitioner : Mr.S.Mahendra Pathy,
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.44/2024 on the file of the Respondent-Police.



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ORDER : The Court made the following order :-

This Criminal Original Petition has been filed by the petitioner on 27.02.2025 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 19.09.2024 for the offences punishable under Sections 7 of Protection of Children from Sexual Offences Act 2012 r/w Section 8 of Protection of Children from Sexual Offences Act 2012 in Crime No.44 of 2024 on the file of the respondent-Police.

3. Today, when the matter is taken up for hearing, Mr.K.Sanjai Gandhi, learned Government Advocate (Criminal Side) appearing for the respondent-Police submits that the respondent-Police had registered a case in Crime No.44 of 2025 on the petitioner and after completing the investigation, filed a final report before the Special Court for Exclusive Trial of Cases under POCSO Act, Madurai against the petitioner for the offences punishable under Sections 9(m), 10 of the Protection of Child from Sexual Offences Act, 2012 and Section 3(1)(w)(i) of the Scheduled Caste and Scheduled Tribes (Prevention of Atrocities) Amendment Act, 2015 on 26.10.2024. He has also produced a copy to that effect.

4. In view of the above and the involvement of the SC/ST offence in this case,



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as per Section 14-A of the Scheduled Caste and the Scheduled Tribes (Prevention of
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Atrocities Act), 1989 (No.33 of 1989 (as amended)), an appeal alone would lie against the dismissal order of bail.

5. At this juncture, Mr.S.Mahendra Pathy, learned counsel appearing for the petitioner seeks permission of this Court to withdraw this petition and prays for leave to approach the trial Court for filing a fresh bail application. In that effect, he has made an endorsement in the case file and the same is extracted hereunder:

"permitted to withdraw as dismissed."

6. The request made by the learned counsel appearing for the petitioner is acceded to.

7. In view of the endorsement made by the learned counsel for the petitioner, this Criminal Original Petition is dismissed as withdrawn with a liberty to file a fresh bail application before the Special Court as per law.

sd/-
03/03/2025

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

TSG



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TO WEB COPY

- 1 THE INSPECTOR OF POLICE,
ALL WOMEN POLICE STATION,
TALLAKULAM,
MADURAI DISTRICT.
- 2 THE SUPERINTENDENT
CENTRAL PRISON, MADURAI.
- 3 THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.

ORDER
IN
CRL OP(MD) No.3960 of 2025
Date :03/03/2025

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