



CRL OP (MD) No.4429 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.4429 of 2025

Munees,
S/o.Appadurai,
South Vaniveethi,
Valantharavai,
Ramanathapuram District.

... Petitioner/ Accused

Vs

The State of Tamil Nadu,
Rep. by the Inspector of Police,
Keelathooval Police Station,
Ramanathapuram District.
Crime No.21/2025)

... Respondent/Complainant

For Petitioner : Mr.D.Rameshkumar,
Advocate

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

PETITION FOR BAIL Under Sec.483 of BNSS, 2023



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PRAYER:-

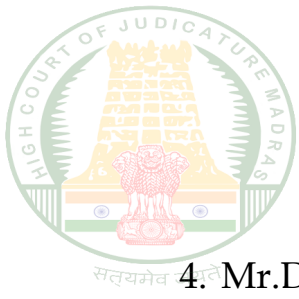
For Bail in Crime No.21 of 2025 on the file of the respondent-police.

ORDER : The Court made the following order :-

This Criminal Original Petition has been filed by the petitioner on 06.03.2025 under Section 483 of the Bharatiya Nagarik Suraksha Sanhita (BNSS), 2023, praying to grant bail.

2. The petitioner/accused was arrested and remanded to judicial custody on 25.02.2025 for the offences punishable under Section 137(2) of BNS, 2023 and subsequently, altered into Sections 137(2) of BNS, 2023 and Section 7 r/w. Section 8 of the POCSO Act, in Crime No.21 of 2025 on the file of the respondent-police.

3. The case of the prosecution is that the petitioner and the victim girl loved each other. On 22.02.2025, the victim girl did not return home. Based on the complaint lodged by the father of the victim girl, the respondent-police secured the victim girl from the house of the petitioner and arrested the petitioner. Hence, the case.



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4. Mr.D.Ramesh Kumar, 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 19 years. He further submits that the petitioner 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 25.02.2025. 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 15 years. 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 investigation process. 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.



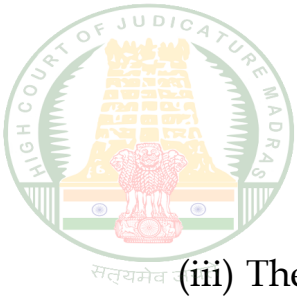
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7. In view of the allegation made in the First Information Report and in view of the statement recorded from the victim girl under Section 183 of BNSS, 2023, this Court is of the opinion that further custody of the petitioner is not necessary in this 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.10,000/- (Rupees Ten Thousand only) along with two sureties each for a like sum of Rs.10,000/- (Rupees Ten Thousand only) to the satisfaction of the learned Mahila Judge, Fast Track Court (Mahaleer Neethimandram), Ramanathapuram;

(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 Mahila Judge, Fast Track Court (Mahaleer Neethimandram), Ramanathapuram, shall obtain a copy of any one of identity proofs to ensure their identity;



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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 also not try to contact the victim girl through his men or agent or any other electronic mode;

(vii) The petitioner shall not enter into residence of the victim girl or her school until further orders;

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

(ix) The petitioner shall stay at Virudhunagar and appear and sign before the Inspector of Police, Bazaar Police Station, Virudhunagar, daily at 05.00 p.m., until further orders; and



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(x) On breach of any of the aforementioned conditions, the learned Mahila Judge, Fast Track Court (Mahaleer Neethimandram), Ramanathapuram, 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].

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

Sd/-
17/03/2025

/ TRUE COPY /

18/03/2025
Sub-Assistant Registrar
(C.S.I / II / III / IV)
Madurai Bench of Madras High Court,
Madurai - 625 023.

tsg/jen
TO

- 1 THE MAHILA JUDGE,
FAST TRACK COURT(MAHALEER NEETHIMANDRAM),
RAMANATHAPURAM.
- 2 THE INSPECTOR OF POLICE,
KEELATHOOVAL POLICE STATION,
RAMANATHAPURAM DISTRICT.



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3 THE OFFICER INCHARGE,
DISTRICT PRISON,
RAMANATHAPURAM.

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

COPY TO:

THE INSPECTOR OF POLICE
BAZAAR POLICE STATION,
VIRUDHUNAGAR

ORDER
IN

CRL OP(MD) No.4429 of 2025

Date :17/03/2025

ES/18.03.2025/7P/6C

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