



CRL OP (MD)No.5502 of 2025

WEB COPY BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 07/04/2025

PRESENT

THE HONOURABLE MR. JUSTICE R. SAKTHIVEL

CRL OP (MD)No.5502 of 2025

Ananth

... Petitioner/Sole Accused

Vs

The State of Tamil Nadu
Rep. by the Inspector of Police,
Ramanathapuram AWPS Police Station,
Ramanathapuram District.
Crime No.1 of 2025

... Respondent/Complainant

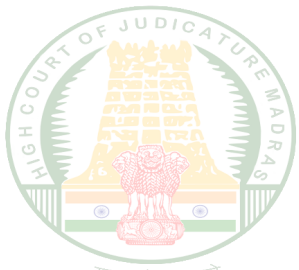
For Petitioner : Mr.P.M.Vishnuvarthanan,
Advocate

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

PETITION FOR BAIL Under Sec.483 of BNSS

PRAYER :-

For Bail in Crime No.01 of 2025 on the file of the Respondent-Police.



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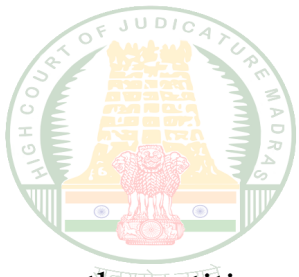
ORDER : The Court made the following order :-
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This Criminal Original Petition has been filed by the petitioner on 21.03.2025 under Section 483 of the Bharatiya Nagarik Suraksha Sanhita (BNSS), 2023, praying to grant bail.

2. The petitioner/Sole Accused was arrested and remanded to judicial custody on 30.01.2025 for the offences punishable under Sections 5(l), 5(n) r/w. Section 6 of the Protection of Child from Sexual Offences Act, 2012, in Crime No.1 of 2025, on the file of the respondent-police.

3. The case of the prosecution is that, on 01.01.2025, the petitioner, who is the maternal aunt's husband of the minor victim girl, sexually assaulted her. It is further alleged that the petitioner thereafter repeatedly subjected the victim to sexual assault on multiple occasions. Hence, the complaint.

4. Mr.P.M.vishnuvarthanan, learned counsel appearing for the petitioner, submits that the petitioner has nothing to do with the alleged offence and that a false case has been foisted against the petitioner. He however submits that he is ready to abide by any conditions that may be imposed by this Court. He further submits that



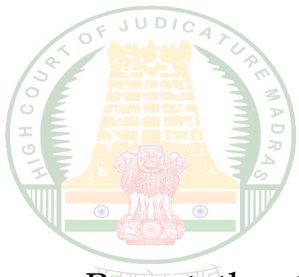
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the petitioner has been in judicial custody since 30.01.2025. He further submits that the respondent-police have filed a final report and the same was taken on file in Spl.S.C.No.17 of 2025 on the file of the Fast Track Mahila Court, Ramanathapuram, and therefore, the further custody of the petitioner may not be required for the investigating agency. 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 16 years. He further submits that if bail is granted to the petitioner, he may cause threat to the defacto complainant and other witnesses, and thereby delay the trial proceedings. He further submits that the case is posted before the Trial Court on 09.04.2025 for furnishing copies. Accordingly, he strongly opposes to grant bail to the petitioner.

6. This Court has considered the submission 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, 2023.

7. In view of the allegations made against the petitioner in the First Information



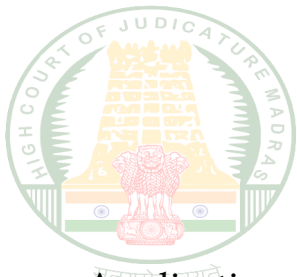
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Report, the statement recorded from the victim girl under Section 183 of the Bharatiya
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Nagarik Suraksha Sanhita, 2023, and considering the fact that the investigation has been completed and the final report has been filed, which has been taken on file in Spl.S.C. No. 17 of 2025 on the file of the Fast Track Mahila Court, Ramanathapuram, and the case is now posted on 09.04.2025 for furnishing copies, this Court is of the opinion that the further custody of the petitioner is not necessary for the Investigating Agency in this case. The petitioner has permanent residence and deep roots in the society, and therefore, there is less possibility of absconding. Considering the same, and also considering 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 Judge, Fast Track Mahila Court, Ramanathapuram;

(ii) The sureties shall affix their photographs and left thumb impression in the



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Application for Suretyship [Judicial Form No.46 annexed to 'The Criminal Rules of Practice, 2019']. The learned Judge, Fast Track Mahila Court, Ramanathapuram, shall obtain a copy of any one of identity proofs to ensure their identity;

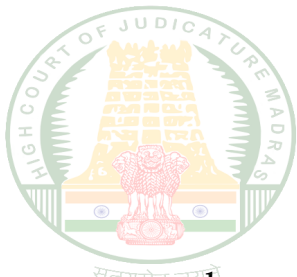
(iii) The petitioner shall furnish his residential address and mobile number to the learned Judge, Fast Track Mahila Court, Ramanathapuram;

(iv) The petitioner shall stay at Madurai after execution of suretyship and appear and sign before the Inspector of Police, Tallakulam Police Station, Madurai, daily at 08.00 a.m., and 07.00 p.m., until further orders;

(v) The petitioner shall not enter into the Maharanonbu Pottal, Kattupillaiyar Kovil Street, Ramanad District, without getting prior permission from the learned Judge, Fast Track Mahila Court, Ramanathapuram.

(vi) The petitioner shall attend in accordance with the conditions of the bond to be executed under Chapter XXXV of BNS, 2023;

(vii) The petitioner shall not commit an offence similar to the offence of he is



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accused, or suspected, of the commission of which he is suspected;

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(viii) 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;

(ix) The petitioner shall not directly or indirectly cause any threat to the defacto complainant and the witnesses and shall not tamper with the evidence;

(x) The petitioner shall also not contact the victim girl through his men or agent or any other electronic gadgets; and

(xi) On breach of any of the aforementioned conditions, the learned Judge, Fast Track Mahila Court, 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].



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

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

TO

1 THE JUDGE,
FAST TRACK MAHILA COURT,
RAMANATHAPURAM.

2 THE INSPECTOR OF POLICE,
RAMANATHAPURAM AWPS POLICE STATION,
RAMANATHAPURAM DISTRICT.

3 THE SUPERINTENDENT,
SUB JAIL, RAMANATHAPURAM.

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



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COPY TO:

THE INSPECTOR OF POLICE
TALLAKULAM POLICE STATION, MADURAI

ORDER
IN
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Date :07/04/2025

AS (07/04/2025) 8P / 6C

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