



CRL OP(MD). No.5437 of 2025

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 24/03/2025

PRESENT

The HONOURABLE MR. JUSTICE R. SAKTHIVEL

CRL OP(MD). No.5437 of 2025

Muniyandi @ Avadi Muniyandi

... Petitioner/ Accused No.2

Vs

The State of Tamilnadu,
Rep by the Inspector of Police,
Paramakudi Awps,
Ramnad District.
Crime No.14 of 2024.

... Respondent/ Complainant

For Petitioner : Mr. D.Senthil
Advocate

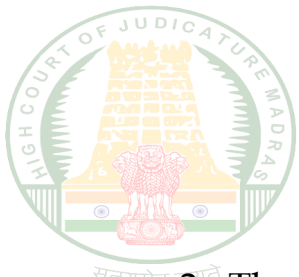
For Respondent : Mr.K.Sanjai Gandhi,
Government Advocate (Crl.Side)

PRAYER :-

For Anticipatory Bail in Crime no.14 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 20.03.2025 under Section 482 of Bharatiya Nagarik Suraksha Sanhita (BNSS) praying to grant pre-arrest bail.



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2. The petitioner / accused No.2, apprehends arrest at the hands of the respondent-Police for the offence punishable under Sections 9(K), 9(m) r/w. 10 of POCSO Act, in Crime No.14 of 2024, on the file of the respondent police, seeks bail.

3. The case of the prosecution is that the petitioner herein and other accused had sexually assaulted the victim girl, who is mentally challenged and aged about 10 years. Hence, the case.

4. Mr.D.Senthil, the learned counsel for the petitioner, submits that the petitioner is an innocent person and he has not committed any offence as alleged by the prosecution and he has been falsely implicated in this case. He however submits that the petitioner is ready to abide by any conditions to be imposed by this Court. He therefore prays for grant of pre-arrest bail to the petitioner.

5. Per contra, Mr.K.Sanjai Gandhi, learned Government Advocate (Crl. side), appearing for the respondent-Police, submits that petitioner herein and A1 had sexually assaulted the victim girl, who is mentally retarded and aged about 10 years. He further submits that A1 has already been arrested and remanded to judicial custody and the investigation of the case is pending. Hence, he strongly opposes to grant pre-arrest bail to the petitioner.

6. Heard both sides and perused the records.



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7. This Court has perused the First Information Report as well as the victim statement recorded under Section 183 of BNSS, 2023. In view of the statement and in view of the nature of offence allegedly committed against the victim girl, this Court is of the considered view that if the pre-arrest bail is granted to the petitioner, he may cause threat to the defacto complainant and the victim girl. Hence, this Court is not inclined to grant pre-arrest bail to the petitioner.

8. Accordingly, this Criminal Original Petition is dismissed.

sd/-
24/03/2025

/ TRUE COPY /

/04/2025

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

TRP
TO

1.THE INSPECTOR OF POLICE, PARAMAKUDI AWPS,
RAMNAD DISTRICT.
2.THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.

ORDER IN
CRL OP(MD) No.5437 of 2025
Date :24/03/2025

PR/SAR/ (21/04/2025) 3P / 3C

Madurai Bench of Madras High Court is issuing certified copies in this format from
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