



CRL OP(MD). No.6015 of 2025

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT
(Criminal Jurisdiction)

Date : 02.04.2025

PRESENT

THE HONOURABLE MR. JUSTICE R. SAKTHIVEL

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M.Maheswaran @ Mahesh

... Petitioner/Sole Accused

Vs

The State of Tamilnadu,
Rep.By the Inspector of Police,
AWPS, Nagercoil Police Station,
Kanniyakumari District.
Crime No.12 of 2018

... Respondent/Complainant

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

PETITION FOR BAIL Under Sec.483 of BNSS

PRAYER :-

For bail in Crime No.12 of 2018 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 28.03.2025 under Section 483 of the Bharatiya Nagarik Suraksha Sanhita (BNSS), 2023, praying



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to grant bail.

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2. The petitioner was arrested and remanded to judicial custody on 20.02.2024 for the alleged offences punishable under Sections 5(l) and 6 of Protection of Children from Sexual Offences Act, 2012, in Crime No.12 of 2018 on the file of the respondent-police.

3. The case of the prosecution is that the petitioner and the victim girl are neighbours and the victim is a minor girl. While so, when the victim girl was alone in her home, the petitioner committed aggravated penetrative sexual assault on her against her will. Hence the case.

4. Mr.P.Vetrivel, the learned counsel appearing for the petitioner submits that the petitioner was granted bail on 28.12.2022, thereafter, the petitioner met with an accident. Hence, on 17.03.2023, the petitioner was unable to appear before the Trial Court. Hence, the Trial Court issued NBW on 17.03.2023 and the same was executed on 20.02.2024. He further submits that the victim girls was examined and the case was posted for examination of Investigation Officer. He further submits that the petitioner has been in judicial custody since 20.02.2024. He however submits that the



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petitioner is ready to abide by any condition to be imposed by this Court. He
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therefore prays to grant bail to the petitioner.

5. Mr.K.Sanjai Gandhi, learned Government Advocate (Crl. Side) appearing for the respondent-police, submits that the petitioner has one previous case, which is similar in nature. He further submits that the case is posted on 07.04.2025 for examination of Investigation Officer. At this stage of trial, if bail is granted to the petitioner, the petitioner may abscond and thereby delay the trial proceedings. Accordingly, he prays to dismiss this Criminal Original Petition.

6. Heard on both sides. This Court has perused the records.

7. The petitioner was previously granted bail but failed to appear before the trial Court on 17.03.2023, hence, the trial Court issued nonailable warrant, which was executed nearly one year later on 20.02.2024, the trial is in advanced stage and the case is posted for examination of Investigation Officer on 07.04.2025. Further, the petitioner has one previous case, which is also similar in nature. Hence, the apprehension of the prosecution that if bail is granted to the petitioner, he may abscond and thereby delay the trial proceedings is reasonable and acceptable.



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Hence, this Court is not inclined to grant bail to the petitioner at this stage of trial.

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Accordingly, this Criminal Original Petition is dismissed.

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02/04/2025

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/04/2025
Sub-Assistant Registrar
(C.S. I / II / III / IV)
Madurai Bench of Madras High Court,
Madurai - 625 023.

mbi

TO

1.The Inspector of Police,
AWPS, Nagercoil Police Station,
Kanniyakumari District.

2 THE OFFICER INCHARGE,
DISTRICT JAIL, NAGERCOIL.

3. The Additional Public Prosecutor,
Madurai Bench of Madras High Court, Madurai.

+1 CC to M/s.P.VETRIVEL, Advocate (SR-3756[I] dated 02/04/2025)



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ORDER
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Date :02/04/2025

MK/SAR /22.04.2025 5P/5C

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