



CRL OP(MD). No.6106 of 2025

WEB COPY BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 03/04/2025

PRESENT

The HONOURABLE MR. JUSTICE R. SAKTHIVEL

CRL OP(MD). No.6106 of 2025

1. Sathiskumar,

2. Rajkumar,

... Petitioners/ Accused No.1 & 2

Vs

State of Tamil Nadu Rep. by,
The Inspector of Police,
All Women Police Station,
Tallakulam, Madurai.
Crime No. 4/2025.

... Respondent/Complainant

For Petitioner : M/s.Sudha Sathyananth. B,
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.4 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 01.04.2025 under Section 483 of Bharatiya Nagarik Suraksha Sanhita (BNSS), 2023, praying to grant bail.

2. The petitioners/Accused No.1 and 2 were arrested and remanded to judicial custody on 23.02.2025 for the offences punishable under Sections 11(1), 12 and 17 of Protection of Child from Sexual Offences Act, 2012 and Section 115(2) and 351(2) of BNS, 2023 in Crime No.4 of 2025 on the file of the respondent-Police.

3. The case of the prosecution is that two victim girls, who are aged about 14 years and 15 years respectively. On 22.02.2025, at about 11.00 a.m., defacto complainant's daughter namely, XXXX, visited her friend XXXX's house in Anayur. While they were returning home around 03.30 p.m, near Meenakshi Hospital, Anayur Road, the first petitioner drove an auto rikshaw bearing Registration No.TN 59 BF 3953 followed them and gestured them to get into the auto, they refused. After some time, the first petitioner brought second petitioner and knocked on the door and the second petitioner said that the first petitioner likes the victim girl. The same was informed by the victim girls to the defacto complainant. The defacto complainant and her family friend namely Jayaprakash, and the children found the petitioners' place and they questioned the petitioners. Due to which, there was a scuffle between



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them. At that time, the petitioner pushed the said Jayaprakash and sustained minor injury on his left leg. Hence, the complaint.

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4. M/S.B.Sudha Sathyananth, the learned counsel appearing for the petitioners, submits that the petitioners have been falsely implicated in this case and they did not commit any offence as alleged by the prosecution. He further submits that the petitioners are ready to abide by any conditions to be imposed by this Court. He further submits that the petitioners have been in judicial custody since 23.02.2025. He therefore, prays to grant bail to the petitioner.

5. Per contra, Mr.K.Sanjai Gandhi, learned Government Advocate (Criminal Side) appearing for the respondent-police, submits that if the petitioners are released on bail, they may cause a threat to the defacto complainant and victim girls. Hence, he vehemently opposes to grant bail to the petitioner.

6. Heard on both sides. This Court has perused the records and the statement recorded from the victim girls under Section 183 of BNSS.

7. In view of the facts and circumstances of the case, this Court is of the view that if bail is granted to the petitioners, they may cause threat to the two victim girls and other witnesses, thereby delaying the investigation. Considering the same and keeping in mind the interests of the victim girls, this Court is not inclined to grant bail to the petitioner.



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8. Accordingly, this Criminal Original Petition stands dismissed.

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

vsg
TO

- 1.The learned Special Court for Exclusive Trial of Cases under POCSO Act,
Madurai.
- 2.The Superintendent, Central Prison, Madurai.
- 3.The Inspector of Police,
All Women Police Station, Tallakulam, Madurai.
- 4.The Additional Public Prosecutor,
Madurai Bench of Madras High Court, Madurai.

ORDER
IN

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Date :03/04/2025

NBF/SAR/ (25/04/2025) 4P/5C

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