



CRL OP (MD) No.6418 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.6418 of 2025

Kovilraj

... Petitioner/Sole Accused

Vs

The State of Tamilnadu,
Rep. by The Inspector of Police,
All Women Police Station,
Palayamkottai,
Tirunelveli District.
Crime No.7 of 2025

... Respondent/Complainant

For Petitioner : Mr.A.Arun Ramnath,
Advocate

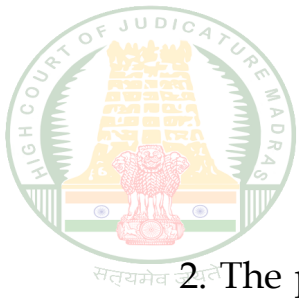
For Respondent : Mr.K.Sanjai Gandhi,
Government Advocate (Crl.Side)

PETITION FOR BAIL Under Sec.483 of BNSS, 2023

PRAYER :- For Bail in Crime No.7 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 03.04.2025 under Section 483 of the Bharatiya Nagarik Suraksha Sanhita (BNSS), 2023, praying to grant bail.



CRL OP (MD) No.6418 of 2025

WEB COPY

2. The petitioner/Sole Accused was arrested and remanded to judicial custody on 27.02.2025 for the offences punishable under Sections 9(m) and 10 of the Protection of Child from Sexual Offences Act, 2012, in Crime No.7 of 2025 on the file of the respondent-police.

3. The case of the prosecution is that while the petitioner was working as an English Teacher in the CSI School, Palayamkottai, on 04.03.2024, the petitioner herein sexually assaulted the students studying in that School. Thereafter, the matter was reported to the Child Welfare Officer, who lodged a complaint before the respondent-police on 26.02.2025. Hence, the complaint.

4. Mr.A.Arun Ramnath, 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 to be imposed by this Court. He further submits that the petitioner has been in judicial custody for the past 34 days. 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 there are totally six victims in this case. He further submits that if bail is granted to the petitioner, he may cause threat to the defacto complainant, the victims and other witnesses and thereby delay



the investigation proceedings. Accordingly, he strongly opposes to grant bail to the petitioner.

WEB COPY

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 victims under Section 183 of BNSS, 2023.

7. In view of the allegation made against the petitioner in the First Information Report and in view of the statement recorded from the victims under Section 183 of BNSS, 2023, this Court is of the view that the further custody of the petitioner is not necessary for the investigating agency 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 Sessions Judge, Special Court for POCSO Act Cases, Tirunelveli;

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



CRL OP (MD) No.6418 of 2025

Application for Suretyship [Judicial Form No.46 annexed to 'The Criminal Rules of Practice, 2019']. The learned Sessions Judge, Special Court for POCSO Act Cases, Tirunelveli 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 Sessions Judge, Special Court for POCSO Act Cases, Tirunelveli;

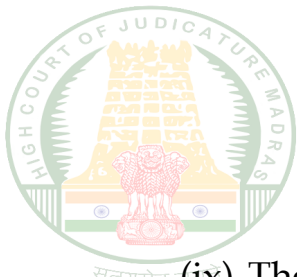
(iv) The petitioner shall stay at Thoothukudi after execution of suretyship, and appear and sign before the learned Special Judge, Special Court for exclusive trial of cases under the Protection of Children from Sexual Offences (POCSO) Act, Thoothukudi on all working days at 10.30 a.m., until further orders;

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

(vi) 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;

(vii) 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;

(viii) The petitioner shall not directly or indirectly cause any threat to the defacto complainant, the victims and the witnesses;



CRL OP (MD) No.6418 of 2025

WEB COPY

(ix) The petitioner shall also not try to contact the victims through his men or agent or any other electronic gadgets;

(x) The petitioner shall not enter into the house of the defacto complainant or the victims; and

(xi) On breach of any of the aforementioned conditions, the learned Sessions Judge, Special Court for POCSO Cases, Tirunelveli, 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/-
07/04/2025

/ TRUE COPY /

07/04/2025
Sub-Assistant Registrar
(C.S. I / II / III / IV)
Madurai Bench of Madras High Court,
Madurai - 625 023.

TSG

TO

1 THE SESSIONS JUDGE,
SPECIAL COURT FOR POCSO CASES, TIRUNELVELI.



CRL OP (MD) No.6418 of 2025

WEB COPY

2 THE SPECIAL JUDGE,
SPECIAL COURT FOR EXCLUSIVE TRIAL OF CASES UNDER THE
PROTECTION OF CHILDREN FROM SEXUAL OFFENCES (POCSO) ACT,
THOOTHUKUDI.

3 THE SUPERINTENDENT,
PALAYAMKOTTAI CENTRAL PRISON, TIRUNELVELI.

4 THE INSPECTOR OF POLICE,
ALL WOMEN POLICE STATION,
PALAYAMKOTTAI,
TIRUNELVELI DISTRICT.

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

ORDER IN
CRL OP(MD) No.6418 of 2025
Date :07/04/2025

SS/SAR. /07.04.2025/6P/6C

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