



CRL OP(MD). No.8578 of 2025

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

( Criminal Jurisdiction )

Date : 08.05.2025

PRESENT

THE HONOURABLE MR. JUSTICE R. SAKTHIVEL

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Ibrahim Kalliulla

... Petitioner/ Sole Accused

Vs

1.The State of Tamilnadu,  
Rep.By the Inspector of Police,  
Thallakulam AWPS Police Station,  
Madurai City.  
(Crime No.59 of 2024)

... 1<sup>st</sup> Respondent/ Complainant

2.Mayandi

... 2<sup>nd</sup> Respondent/ De-facto Complainant

For Petitioner : Mr.M.Gurudas

For R-1 : Mr.S.S.Manoj,  
Government Advocate (Crl. Side)

PETITION FOR BAIL Under Sec.483 of BNSS, 2023

PRAYER :-

For bail in Crime No.59 of 2024 on the file of the first respondent-police.

ORDER : The Court made the following order :-



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This Criminal Original Petition has been filed by the petitioner on 06.05.2025 under Section 483 of the Bharatiya Nagarik Suraksha Sanhita (BNSS) praying to grant bail.

2. The petitioner / sole accused was arrested and remanded to judicial custody on 31.12.2024 for the alleged offences punishable under Section 87 of BNS, 2023 and Sections 5(I), 5(m), and 6 of the Protection of Children from Sexual Offences Act, 2012 and further altered to add Section 3(1)(w)(i) of the Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act, 1989 (as amended upto date) in Crime No.59 of 2024 on the file of the first respondent-police.

3. The case of the prosecution is that the petitioner herein is a landlord of defacto complainant who had committed a penetrative sexual offence against 11 year old daughter of the defacto complainant. Hence the case.

4. Mr.M.Gurudas, the learned counsel appearing for the petitioner submits that the petitioner did not commit any offence as alleged by the prosecution. He further submits that the petitioner requested the defacto complainant to vacate his premises due to non-payment of rent. Hence, the defacto complainant foisted the



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false case against the petitioner. The petitioner has been in judicial custody since 31.12.2024. He however submits that the petitioner is ready to abide by any condition to be imposed by this Court. He therefore prays to grant bail to the petitioner.

5. Mr.S.S.Manoj, Government Advocate (Crl. Side) appearing for the first respondent-police, submits that the petitioner herein sexually assaulted the daughter of the defacto complainant. If bail is granted, the petitioner may cause threat to the defacto complainant as well as the victim girl. Accordingly, he prays to dismiss this Criminal Original Petition.

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

7. This Court has perused the FIR and the statement of the victim girl recorded by the Judicial Magistrate under Section 183 of BNSS, 2023. The petitioner was arrested on 31.12.2024 and is in judicial custody since then. Considering the nature of offences alleged against the petitioner and also considering the period of incarceration, the age of the petitioner and with a view to give one more opportunity to the petitioner to reform himself and with a view to ensure fair trial opportunity to



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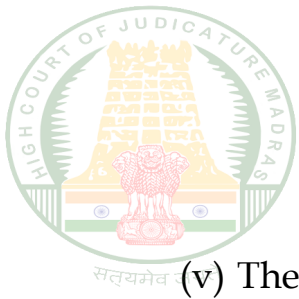
the petitioner, this Court is inclined to grant bail to the petitioner, however, subject to certain conditions. Accordingly, bail is granted to the petitioner subject to the following conditions:

(i) The petitioner shall execute a bond for Rs.25,000/- (Rupees Twenty Five Thousand only) along with two sureties each for a like sum of Rs.25,000/- (Rupees Twenty Five Thousand only) to the satisfaction of the learned Special Judge for Trial of Cases under POCSO Act, Madurai;

(ii) The sureties shall affix their photographs and left thumb impression in the Application for Suretyship [Judicial Form No.46 annexed to 'The Criminal Rules of Practice, 2019']. The learned Special Judge for Trial of Cases under POCSO Act, Madurai, shall obtain a copy of any one of identity proofs to ensure their identity;

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

(iv) The petitioner shall not commit an offence similar to the offence of which he is accused, or suspected, of the commission of which he is suspected;



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(v) 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;

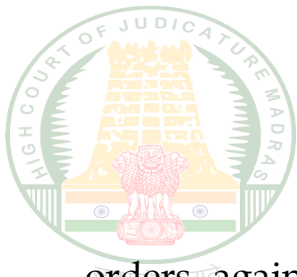
(vi) The petitioner shall furnish his residential address and mobile number to the learned Special Judge for Trial of Cases under POCSO Act, Madurai;

(vii) The petitioner shall appear and sign before the first respondent-Police daily at 10.30 a.m., until further orders;

(viii) The petitioner shall not enter into the defacto complainant's residence / victim's residence or their work place / school where the victim girl is studying.

(ix) The petitioner shall not try to contact the defacto complainant either directly or through any electronic mode;

(x) On breach of any of the aforementioned conditions, the learned Special Judge for Trial of Cases under POCSO Act, Madurai is entitled to pass appropriate



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orders against the petitioner in accordance with law as if the aforementioned  
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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/-  
08/05/2025

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/05/2025  
Sub-Assistant Registrar (C.S.-I/ II /III/ IV)  
Madurai Bench of Madras High Court,  
Madurai - 625 023.

TRP

TO

- 1.The Special Court for Trial of Cases under POCSO Act,  
Madurai.
- 2.The Superintendent,  
Central Prison,  
Madurai.
- 3.The Inspector of Police,  
Thallakulam AWPS Police Station,  
Madurai City.



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

ORDER  
IN  
CRL OP(MD) No.8578 of 2025  
Date :08/05/2025

VN/12.05.2025 7P/5C

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