



CRL OP(MD)No.8865 of 2025

WEB COPY

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 21.05.2025

PRESENT

The Hon`ble Mr.Justice P.VADAMALAI

CRL OP(MD)No.8865 of 2025

Immanuel

... Petitioner

Vs

The State of Tamil Nadu,
State Represented By the Inspector of Police,
Thattarmadam Police Station,
Thoothukudi District.
(In Crime No.82 of 2025)

... Respondent

For Petitioner : Ms.S.Prabha

For Respondent : Mr.R.M.Anbunithi,
Additional Public Prosecutor

PETITION FOR BAIL Under Sec.483 BNSS, 2023

PRAYER :- For Bail in Crime No.82 of 2025 on the file of the respondent police.

ORDER : The Court made the following order :-

The petitioner/Accused, who was arrested and remanded to judicial custody on 25.04.2025, for the offences punishable under Sections 11(6) and 12 of POCSO Act, 2012, in Crime No.82 of 2025, on the file of the respondent police, seeks bail.

2.The case of the prosecution is that the on 10.04.2025, the respondent police



CRL OP(MD)No.8865 of 2025

received a complaint from the defacto complainant alleging that the petitioner had kept Rs.200 in the victim's notebook and asked the victim's phone number in gesture, while she had gone to the petitioner's shop for buying stationery item.

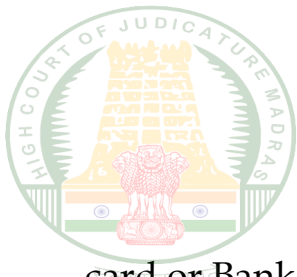
3.The learned counsel for the petitioner submits that the petitioner is an innocent person and he has not committed any offence as alleged by the prosecution. He further submits that he has been falsely implicated in this case. Therefore, he prays for grant of bail.

4.The learned Additional Public Prosecutor appearing for the respondent opposed for grant of bail on the ground that the investigation is still pending.

5.Considering the fact that there is no physical touch involved and considering the duration of custody and nature of allegation, this Court is inclined to grant bail to the petitioner on certain conditions.

6.Accordingly, this Criminal Original Petition is allowed and the petitioner is ordered to be released on bail, on executing a bond for a sum of Rs.25,000/- (Rupees Twenty Five Thousand only) with two sureties each for a like sum to the satisfaction of the learned Principal Sessions Judge, Special Court for Exclusive under POCSO Act, Thoothukudi and on further conditions that,

a)the sureties shall affix their photographs and left thumb impression in the surety bond and the Magistrate/concerned court may obtain a copy of their Aadhar



CRL OP(MD)No.8865 of 2025

card or Bank Pass Book to ensure their identity;

WEB COPY

b)the petitioner is directed to stay at Thoothukudi and sign before the Thoothukudi Central Police Station, daily at 10.30 a.m., and 05.30 p.m., until further orders;

c)the petitioner shall not tamper with evidence or witness;

d)the petitioner shall not abscond during trial;

e)On breach of any of the aforesaid conditions, the learned Magistrate/Trial Court is entitled to take appropriate action against the petitioner in accordance with law as if the conditions have been imposed and the petitioner released on bail by the learned Magistrate/Trial Court himself as laid down by the Hon'ble Supreme Court in P.K.Shaji vs. State of Kerala [(2005)AIR SCW 5560].

f) If the accused thereafter absconds, a fresh FIR can be registered under Section 269 of BNS 2023.

sd/-
21/05/2025

/ TRUE COPY /

23/05/2025
Sub-Assistant Registrar
(C.S. I / II / III / IV)
Madurai Bench of Madras High Court,
Madurai - 625 023.



CRL OP(MD)No.8865 of 2025

MRN नयते

WEB COPY

1 THE PRINCIPAL SESSIONS JUDGE,
SPECIAL COURT FOR EXCLUSIVE UNDER POCSO ACT,
THOOTHUKUDI.

2 THE OFFICER INCHARGE,
DISTRICT PRISON, PERURANI.

3 THE INSPECTOR OF POLICE,
THATTARMADAM POLICE STATION,
THOOTHUKUDI DISTRICT.

4 THE INSPECTOR OF POLICE,
THOOTHUKUDI CENTRAL POLICE STATION,
THOOTHUKUDI.

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

ORDER IN
CRL OP(MD) No.8865 of 2025
Date :21/05/2025

SA/SAR. /23.05.2025/4P/6C

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