



CRL OP(MD)No.8842 of 2025

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

Date : 21.05.2025

PRESENT

The Hon`ble Mr.Justice P.VADAMALAI

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Vengatesan @ Vengadesan

... Petitioner

Vs

State of Tamil Nadu,
Rep. By the Inspector of Police,
All Women Police Station,
Thiruppathur,
Sivagangai District.
(In Crime No.4 of 2025)

... Respondent

For Petitioner : Mr.K.Sivabalan

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

PETITION FOR BAIL Under Sec.483 BNSS, 2023

PRAYER :-

For Bail in Crime No.4 of 2025 on the file of the respondent police.



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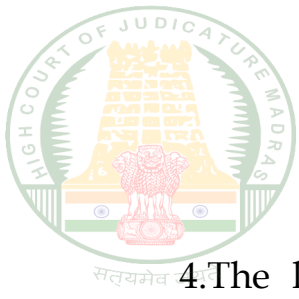
ORDER : The Court made the following order :-

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The petitioner/Accused, who was arrested and remanded to judicial custody on 05.03.2025, for the offences punishable under Sections 5(l) r/w. 6 of POCSO Act, 2012, in Crime No.4 of 2025, on the file of the respondent police, seeks bail.

2.The case of the prosecution is that the defacto complainant is the mother of the victim girl and she and her husband were doing construction work for daily wages. When the defacto complainant went to work, the petitioner who is the relative of the defacto complainant, came to her house and talked to the victim girl and gave false promise to marry her and forced her to have intercourse with him for several times. Thereafter, on 01.03.2025, the victim was missing. While searching her, the victim girl came from the petitioner's house and told the above incident. Hence, the case is registered as against the petitioner.

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 it is a love affair and the petitioner is going to marry the girl after she attains majority. The victim has also given her statement before the learned Principal District Judge cum Judicial Magistrate, Thiruppathur. Therefore, he prays for grant of bail.



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4.The learned Additional Public Prosecutor appearing for the respondent submits that the investigation has been completed and the charge sheet has also been filed on 27.04.2025.

5.Considering the facts and circumstances of the case and also considering the fact that it is a case of love affair and the petitioner has also submits that he is going to marry the girl after she attains majority, 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.10,000/- (Rupees Ten Thousand only) with two sureties each for a like sum to the satisfaction of the learned Sessions Judge, Principal Special Court for Exclusive Trial of Cases under POCSO Act, 2012, Sivagangai 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 card or Bank Pass Book to ensure their identity;

b)the petitioner is directed to stay at Madurai and sign before the All Women Police Station, Thallakullam, Madurai, daily at 10.30 a.m., until further orders;

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

d)the petitioner shall not abscond during trial;



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सत्यमेव जयते 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 /

22 /05/2025
Sub-Assistant Registrar (V)
Madurai Bench of Madras High Court,
Madurai - 625 023.

MRN

TO

1. THE SESSIONS JUDGE,
PRINCIPAL SPECIAL COURT FOR
EXCLUSIVE TRIAL OF CASES UNDER POCSO ACT, 2012,
SIVAGANGAI.

2. THE OFFICER INCHARGE, DISTRICT PRISON,
RAMANATHAPURAM.



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3. THE INSPECTOR OF POLICE,
ALL WOMEN POLICE STATION,
THIRUPPATHUR,
SIVAGANGAI DISTRICT.

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

5. THE INSPECTOR OF POLICE,
ALL WOMEN POLICE STATION,
THALLAKULAM, MADURAI.

+1. CC to M/S.K.SIVABALAN Advocate SR.No.5597(I)DT.21/05/2025

ORDER
IN
CRL OP(MD) No.8842 of 2025
Date :21/05/2025

PR/22.05 .2025 5P/7C

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