



CRL OP(MD).No.9004 of 2025

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 04/07/2025

PRESENT

The HONOURABLE MR. JUSTICE P. VADAMALAI

CRL OP(MD).No.9004 of 2025

Manikandan,
S/o.Veluchamy

.. Petitioner/ A1

Vs

The State of Tamilnadu
rep.by The Inspector of Police,
Kamuthi Police Station,
Ramanathapuram District.
(Crime No.290 of 2024)

.. Respondent/ Complainant

For Petitioner : Mr.R.Shenbagaraj,
Advocate.

For Respondent : Mr.M.Karunanithi,
Government Advocate (Crl.Side)

PETITION FOR BAIL Under Sec.483 of BNSS



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PRAYER :- For Bail in Crime No.290 of 2024 on the file of the Respondent Police.

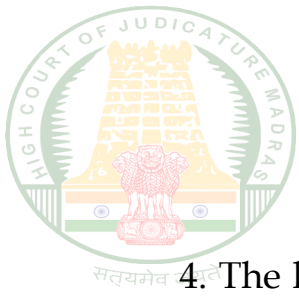
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ORDER : This Court made the following order :-

The petitioner/A1, who was arrested and remanded to judicial custody on 19.10.2024 for the offences punishable under Sections 194(3) of BNS, 2023 r/w. Sections 9, 10 and 11 of Child Marriage Act r/w. Sections 5(1) and 6 of POCSO Act r/w. Section 107 of BNS, 2023 in Crime No.290 of 2024 on the file of the respondent police, seeks bail.

2. The case of the prosecution is that the de-facto complainant, who has been arrayed as A2 in this case, is the mother of the victim girl/deceased. The victim girl had married the petitioner/A1. Despite knowing that the victim was a minor, the petitioner is alleged to have committed penetrative sexual assault on her. As a result, she is said to have committed suicide by hanging. Hence, the present case.

3. The learned counsel for the petitioner submitted that the petitioner is an innocent person and is in no way connected with the alleged offences as stated by the prosecution. He submitted that the petitioner is having permanent residence and is ready and willing to abide by any conditions that may be imposed by this Court. He further submitted that the petitioner has been in custody since 19.10.2024. Hence, he seeks bail.



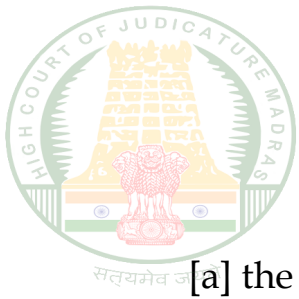
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4. The learned Government Advocate (Criminal Side) submitted that there are two accused persons in this case, and the petitioner has been arrayed as A1. A2 was granted anticipatory bail by this Court on 13.12.2024 in CrI.O.P.(MD) No.21988 of 2024. He further submitted that the investigation in this case has been completed and the charge sheet has been filed in Spl.S.C.No.13 of 2025 before the Fast Track Mahila Court, Ramanathapuram, and the case is pending. Hence, he opposed to grant bail to the petitioner.

5. Taking into consideration of the facts and circumstances of the case, and taking note of the fact that the petitioner was remanded to judicial custody on 19.10.2024, and that the co-accused was granted anticipatory bail by this Court, and that since the petitioner has a permanent residence, there is a low chance of absconding, and also considering the period of incarceration already undergone by the petitioner, this court is inclined to grant bail to the petitioner, subject to the following conditions:

6. Accordingly, 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, one of whom shall be a blood relative and another be a local surety, each for a like sum, to the satisfaction of the Fast Track Mahila Court (Mahaleer Neethimandram), Ramanathapuram and on further conditions that :-



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[a] the sureties shall affix their photographs and Left Thumb Impression in the surety bond and the Magistrate may obtain a copy of their Aadhar card or Bank pass Book to ensure their identity;

[b] the petitioner shall furnish his residential address and contact number to the Fast Track Mahila Court (Mahaleer Neethimandram), Ramanathapuram. If the petitioner changes his residential address, he shall report the same to the Fast Track Mahila Court (Mahaleer Neethimandram), Ramanathapuram;

[c] the petitioner shall appear before the learned Judge, Fast Track Mahila Court, Ramanathapuram on all working days at 10.00 a.m., until further orders;

[d] the petitioner shall not abscond either during investigation or trial;

[e] the petitioner shall not tamper with evidence or witness either during investigation or trial;

[f] 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]; and;

[g] If the accused thereafter absconds, a fresh FIR can be registered under Section 269 of BNS.

sd/-
04/07/2025

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04/07/2025
Sub-Assistant Registrar
Madurai Bench of Madras High Court,
Madurai - 625 023.

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TO
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- 1.The Fast Track Mahila Court
(Mahaleer Neethimandram),
Ramanathapuram.
- 2.THE OFFICER INCHARGE, DISTRICT PRISON,
RAMANATHAPURAM.
- 3.The Inspector of Police,
Kamuthi Police Station,
Ramanathapuram District.
- 4.The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.

ORDER
IN
CRL OP(MD) No.9004 of 2025
Date :04/07/2025

MK/04.07.2025 5P/5C

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