



CRL OP(MD).No.9571 of 2025

WEB COPY BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 07/07/2025

PRESENT

THE HONOURABLE MR. JUSTICE P. VADAMALAI

CRL OP(MD).No.9571 of 2025

Mareeswaran
S/o.Munishwaran

...Petitioner/Sole Accused

Vs.

The State of Tamil Nadu rep. by
The Inspector of Police,
Sattur All Women Police Station,
Virudhunagar District.
(Crime No.15 of 2025)

...Respondent/Complainant

For Petitioner : Ms.S.Meena
Advocate.

For Respondent : Mr.B.Thanga Aravindh
Government Advocate (Crl.Side)

PETITION FOR BAIL Under Sec.483 of BNSS

PRAYER :- For Bail in Crime No.15 of 2025 on the file of the Respondent Police.

ORDER : This Court made the following order :-

The petitioner / Sole Accused, who was arrested and remanded to judicial custody on 04.04.2025 for the offences punishable under Section 5(1), 6 of the



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Protection of Children from sexual offence Act, 2012 and Section 65(1) of BNS, 2023,
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in Crime No.15 of 2025 on the file of the respondent police, seeks bail.

2. The case of the prosecution is that the petitioner, by suppressing his marriage, had contact with the victim girl, who is aged about 15 years and also had sexual intercourse with the victim by giving false promise of marriage. Hence, the mother of the victim girl lodged a complaint against the petitioner and the case has been registered.

3. The learned counsel for the petitioner would submit that this is the second bail application. The petitioner's earlier bail application in CrI.O.P(MD)No.8685 of 2025 was dismissed on 14.05.2025 on the ground that the investigation was at the initial stage. Now the investigation is completed and the charge sheet has also been filed and taken on file in Spl.S.C.No.134 of 2025 on the file of the Special Court for POCSO Act Cases, Srivilliputhur. He would further submit that the petitioner is in custody for the past 91 days and hence he seeks bail.

4. The learned Government Advocate (Criminal Side) would submit that by giving false promise of marriage, the petitioner had committed penetrative sexual assault on the minor victim girl. He would further submit that this is the second bail application, and now the charge sheet has been filed and the main number also assigned in Spl.S.C.No.134 of 2025. He would further submit that the petitioner is



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having one previous case under IPC offence. Hence, he objected to grant bail to the
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petitioner.

5. Taking into consideration of the facts and circumstances of the case and also considering the fact that the statement of the victim girl was recorded under 183 of BNSS and taking into consideration of the period of incarceration, and further the investigation has been completed and the charge sheet has also been filed and taken in Spl.S.C.No.134 of 2025 on the file of the Special Court for POCSO Act Cases, Srivilliputhur, 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, each for a like sum to the satisfaction of the Special Court for POCSO Act Cases, Srivilliputhur, and on further conditions that :-

[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 Special Court for POCSO Act Cases, Srivilliputhur. If the petitioner changes his residential address, he shall report the same to the Special Court for POCSO Act Cases, Srivilliputhur;



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[c] the petitioner shall stay at Karur and appear and sign before the Inspector of Police, Karur Town Police Station, Karur District, daily twice i.e. at 10.00 a.m. and 5.00 p.m. until further orders except on hearing dates. On hearing date, he shall appear before the trial Court without fail;

[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].

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

sd/-
07/07/2025

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

VSD

TO
1 THE JUDGE,
SPECIAL COURT FOR POCSO ACT CASES, SRIVILLIPUTHUR.



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2 THE OFFICER INCHARGE,
DISTRICT JAIL, VIRUDHUNAGAR DISTRICT.

3 THE INSPECTOR OF POLICE,
KARUR TOWN POLICE STATION, KARUR DISTRICT.

4.The Inspector of Police,
Sattur All Women Police Station,
Virudhunagar District.

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

+1 CC to M/s.S.MEENA, Advocate (SR-7232[I] dated 08/07/2025)

ORDER
IN

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Date :07/07/2025

MK/08.07.2025 5P/7C

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