



CRL OP(MD).No.9806 of 2025

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 11/07/2025

PRESENT

The HONOURABLE MR. JUSTICE P. VADAMALAI

CRL OP(MD).No.9806 of 2025

Sritharan,
S/o.Pandiyan.

..Petitioner/ A1

Vs

The State of Tamilnadu
rep.by The Inspector of Police,
AWPS Papanasam Police Station,
Thanjavur District.
(Crime No.32 of 2023)

..Respondent/ Complainant

For Petitioner : Mr.K.M.Karunakaran,
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.32 of 2023 on the file of the Respondent Police.

ORDER :- This Court made the following order :-

The petitioner/A1, who was arrested and remanded to judicial custody on



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22.12.2023 for the offences punishable under Sections 5(g), 5(i), 6, 9(g), 9(i), 10, 13(a), 14(1) of POCSO Act, 2012 in Crime No.32 of 2023 on the file of the respondent police, seeks bail.

2. The case of the prosecution is that the petitioner along with other accused had committed sexual assault and harassed the victim, who is aged about 16 years. Hence, the complaint.

3. The learned counsel appearing for the petitioner would submit that the petitioner is innocent person and he has not committed any offence as alleged by the prosecution. He would further submit that he has been falsely implicated in this case and the petitioner is in custody from 22.12.2023. Hence, he seeks bail.

4. The learned Government Advocate (Criminal Side) would submit that there are four accused involved in this case. He would further submit that A3 was released on bail by the Principal Special Court for Exclusive Trial of Cases under POCSO Act, Thanjavur and the fourth accused was granted bail by this Court in Crl.O.P(MD) No.7467 of 2024.

5. Taking into consideration of the facts and circumstances of the case and also taking note of the period of incarceration and also considering the fact that the co-accused were already released on bail and also the fact that the victim girl and her father, who were examined as P.W.1 and P.W.2 turned hostile, this court is inclined to



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grant bail to the petitioner, subject to the following conditions:

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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 learned District Judge, Special Court for Exclusive trial of cases under POCSO Act, Thanjavur 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 learned District Judge, Special Court for Exclusive trial of cases under POCSO Act, Thanjavur. If the petitioner changes his residential address, he shall report the same to the learned District Judge, Special Court for Exclusive trial of cases under POCSO Act, Thanjavur;

[c] the petitioner shall appear and sign before the respondent police daily at 10.00 a.m., except the hearing dates before the trial Court and the petitioner shall appear before the trial Court on all hearing dates without fail, 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



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investigation or trial.

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[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 of BNS.

7. Accordingly, this Criminal Original Petition is allowed.

sd/-

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

das
TO

- 1 THE DISTRICT JUDGE, SPECIAL COURT FOR EXCLUSIVE TRIAL OF CASES UNDER POCSO ACT, THANJAVUR.
- 2 THE SUPERINTENDENT, CENTRAL PRISON, TRICHY.
- 3 THE INSPECTOR OF POLICE, AWPS PAPANASAM POLICE STATION, THANJAVUR DISTRICT.



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

+1 CC to M/s.K.M.KARUNAKARAN, Advocate (SR-7448[I] dated 11/07/2025)

ORDER
IN
CRL OP(MD) No.9806 of 2025
Date :11/07/2025

NBF/SAR- /15/07/2025/ 5P/6C

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