



CRL OP(MD).No.10377 of 2025

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 02/07/2025

PRESENT

The HONOURABLE MR. JUSTICE P. VADAMALAI

CRL OP(MD).No.10377 of 2025

Sivanesan,
S/o.Veerachamy

..Petitioner/Sole Accused

Vs

The State of Tamilnadu
rep.by The Inspector of Police,
Nagudi Police Station,
Pudukottai District.
(Crime No.85 of 2025)

..Respondent/Complainant

For Petitioner : Mr.V.Pandiyan,
Advocate.

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

PETITION FOR BAIL Under Section 483 of BNSS



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PRAYER :- For Bail in Crime No.85 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 22.05.2025 for the offences punishable under girl missing @ 5(n), 5(1) and 6(1) of POCSO Amendment Act, 2019 in Crime No.85 of 2025 on the file of the respondent police, seeks bail.

2. The case of the prosecution is that on 08.05.2025, the de-facto complainant's minor daughter went missing from home. Consequently, the de-facto complainant lodged the present complaint on 09.05.2025, and the respondent police registered a case as girl missing. Later, the victim was secured, and based on her statement, the petitioner was implicated as an accused in this case. Hence, the present case.

3. The learned counsel for the petitioner submitted that the de-facto complainant is the elder sister of the petitioner, and the alleged victim is his niece. He further submitted that the petitioner is an innocent person and has not committed any offence as alleged by the prosecution. However, the petitioner is ready and willing to abide by any conditions that may be imposed by this Court. He



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also submitted that the petitioner has been in custody since 22.05.2025. Hence, he
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seeks bail.

4. The learned Government Advocate (Criminal Side) submitted that the petitioner, who is aged about 40 years, is a very close relative of the victim girl, who is aged about 17 years and the petitioner is a married man, having a 6 year old daughter. He further submitted that the petitioner made a promise to the victim girl that he would divorce his wife and marry her, and that he had penetrative sexual intercourse with the victim girl on more than ten occasions. The victim was secured by the respondent police from a private lodge in Palani. He, however, submitted that the investigation in this case is still pending. Hence, he strongly opposed to grant bail to the petitioner.

5. Taking into consideration of the facts and circumstances of the case, and also considering the gravity of the offence, and also considering the fact that the investigation of the case is still pending, this Court is not inclined to grant bail to the petitioner at this stage.



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6. Accordingly, this Criminal Original Petition is dismissed.

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

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TO

1. The Officer In Charge,
District Jail, Pudukottai District.

2.The Inspector of Police,
Nagudi Police Station,
Pudukottai District.

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

ORDER

IN

CRL OP(MD) No.10377 of 2025

Date :02/07/2025

PS/SAR.22.07.2025 4P/4C

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