



CRL OP(MD).No.10513 of 2025

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

Date : 24/06/2025

PRESENT

THE HONOURABLE MR. JUSTICE P. VADAMALAI

CRL OP(MD).No.10513 of 2025

Nagamuthu,
S/o.Rasu,

..Petitioner/ Accused

Vs

The State of Tamilnadu
rep.by The Inspector of Police,
All Women Police Station,
Ramanathapuram,
Ramanathapuram District.
(Crime No.21 of 2024)

.. Respondent/ Complainant

For Petitioner : Mr.D.Rameshkumar
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.21 of 2024 on the file of the Respondent Police.



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ORDER: This Court made the following order :-

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The petitioner / Accused , who was arrested and remanded into judicial custody on 18.10.2024 for the offences punishable under Sections 351(2) of BNS, 2023 and Sections.5(k) r/w.6 of POCSO Act in Crime No.21 of 2024 on the file of the respondent police, seeks bail.

2. The case of the prosecution is that the defacto-complainant's daughter is mentally challenged child and she is aged about 15 years. The petitioner constructing a house opposite to the house of the victim girl, knowing the loneliness of the victim girl, this petitioner said to have committed an penetrative sexual assault on her. Hence, the case.

3. The learned counsel for the petitioner would submit that the petitioner is an innocent person and he has not committed any offences as alleged by the prosecution. The petitioner is ready and willing to abide any conditions that may be imposed by this Court. He would further submit that the petitioner is in custody from 18.10.2024 nearly 250 days. Hence, he seeks bail.



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4. The learned Government Advocate (Criminal Side) would submit that the victim girl is a mentally challenged child and she is aged about 15 years. The petitioner constructing a house opposite to the house of the victim girl, knowing the loneliness of the victim girl, this petitioner said to have committed an penetrative sexual assault on her. In this case, 164 Cr.P.C. Statement was recorded from the victim girl. In this case, investigation was completed and charge sheet was filed and the same was taken on file as Spl.S.c.No.04 of 2025 on the file of the Fast Track Mahila Court, Ramanathapuram, the case was posted for framing of charges. There is no previous case against the petitioner. However, he strongly objected to grant bail to the petitioner.

5. Taking into consideration of the facts and circumstances of the case and also taking note of the fact that in this case, investigation has been completed and charge sheet has also been filed and the same was taken on file in Spl.S.C.No.4 of 2025 on the file of the Fast Track Mahila Court, Ramanathapuram, the petitioner is having permanent residence and he regrouping in the society and there is a less chance for absconding, there is no previous case against the petitioner, the petitioner/accused remanded into judicial custody on 18.10.2024, taking into consideration of the period of incarceration, this court is inclined to grant bail to the petitioner, subject to



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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 learned Sessions Judge, (Fast Track Mahila Court), Ramanathapuram and on further conditions that :-

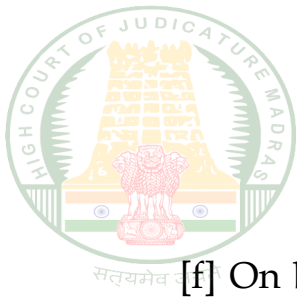
[a] the sureties shall affix their photographs and Left Thumb Impression in the surety bond and the Magistrate may obtain a copy of their Aadhar card or Bank pass Book to ensure their identity.

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

[c] the petitioner shall appear and sign before the learned Sessions Judge, (Fast Track Mahila Court), Ramanathapuram on all working days at 10.30 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.



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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 BNS.

sd/-
24/06/2025

/ TRUE COPY /

24/06/2025
Sub-Assistant Registrar
Madurai Bench of Madras High Court,
Madurai - 625 023.

GVN

TO

1. THE SESSIONS JUDGE, (FAST TRACK MAHILA COURT),
RAMANATHAPURAM
2. THE OFFICER INCHARGE, DISTRICT PRISON,
RAMANATHAPURAM.



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3. THE INSPECTOR OF POLICE,
ALL WOMEN POLICE STATION,
RAMANATHAPURAM,
RAMANATHAPURAM DISTRICT.

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

ORDER
IN
CRL OP(MD) No.10513 of 2025
Date :24/06/2025

PR/24 .06 .2025 6P/5C

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