



CRL OP(MD). No.10872 of 2025

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 18/07/2025

PRESENT

THE HONOURABLE MR. JUSTICE P. VADAMALAI

CRL OP(MD). No.10872 of 2025

S.Vinothraj,
S/o.Soundaram,

: Petitioner/Sole Accused

Vs

The State of Tamil Nadu,
Rep.by The Inspector of Police,
Dindigul Town South Police Station,
Dindigul District.
(Crime No.317 of 2021)

.. Respondent/Complainant

For Petitioner : Mr.P.Manikandan,
Advocate.

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

PETITION FOR BAIL Under Sec.483 of BNSS

PRAYER :- For Bail in Spl.S.C.No.197 of 2023 on the file of the Special Court for Exclusive Trial of Cases under POCSO Act, Dindigul, in Crime No.317 of 2021 on the file of the Respondent Police.



CRL OP(MD). No.10872 of 2025

ORDER: This Court made the following order :-

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The petitioner / Sole Accused, who was arrested and remanded to judicial custody on 15.02.2025 for the offences punishable under Sections 363 of IPC and Sections 5(1), 5(j)(ii), 5(n) r/w 6 of POCSO Act, in Crime No.317 of 2021 on the file of the respondent police, seeks bail.

2.The case of the prosecution is that the petitioner and the victim loved each other. The petitioner by giving false promise that he will marry the victim, had sexual intercourse with her, who was minor. Hence, the case.

3. The learned counsel for the petitioner would submit that the petitioner is innocent person and he has not committed any offence as alleged by the prosecution. The petitioner has no knowledge about the age of the victim. The parents of the victim have not accepted their marriage and hence, the victim eloped with the petitioner. He would further submit that the petitioner is not having any previous case and he will abide any strident conditions that may be imposed by this Court. He would further submit that the petitioner undertakes to appear in all hearings before the trial Court without fail. He is in custody from 15.02.2025 nearly 155 days. Hence, he seeks bail.

4. The learned Government Advocate (Criminal Side) would submit that the petitioner is a married man and is having two children. The petitioner by giving false



CRL OP(MD). No.10872 of 2025

WEB COPY

promise that he will marry the victim, had sexual intercourse with her, who was minor. He would further submit that the respondent police, after completing the investigation, has laid the final report and the case was taken on file in Spl.S.C.No.197 of 2023 and is pending on the file of the Special Court for Exclusive Trial of Cases under POCSO Act, Dindigul. However, he 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 the investigation has already been completed and charge sheet has also been filed and the case is pending for examination of witnesses in Spl.S.C.No.197 of 2023 and taking note of the undertaking given by the petitioner and also considering the fact that the petitioner is in judicial custody from 15.02.2025, taking into consideration of the period of incarceration, 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 Exclusive Trial of cases under POCSO Act, Dindigul 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.



CRL OP(MD). No.10872 of 2025

WEB COPY

[b] The petitioner shall furnish his residential address and contact number to the learned Judge, Special Court for Exclusive Trial of cases under POCSO Act, Dindigul. If the petitioner changes his residential address, he shall report the same to the learned Judge, Special Court for Exclusive Trial of cases under POCSO Act, Dindigul;

[c] the petitioner shall appear and sign before the respondent police daily twice ie., at 10.00 a.m., and 05.00 pm., except on hearing dates, until further orders. On all hearing dates, the petitioner shall appear before the trial Court.

[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].



CRL OP(MD). No.10872 of 2025

WEB COPY

Section 269 BNS.

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

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18/07/2025

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

das

TO

1 THE JUDGE,
SPECIAL COURT FOR EXCLUSIVE TRIAL OF CASES
UNDER POCSO ACT,DINDIGUL.

2 THE OFFICER INCHARGE,
DISTRICT JAIL, DINDIGUL DISTRICT.

3 THE INSPECTOR OF POLICE,
DINDIGUL TOWN SOUTH POLICE STATION,
DINDIGUL DISTRICT.

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



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CRL OP(MD). No.10872 of 2025

ORDER
IN
CRL OP(MD) No.10872 of 2025
Date :18/07/2025

AS/21.07.2025/6P/5C

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