



CRL OP(MD). No.10858 of 2025

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

Date : 30.06.2025

PRESENT

The Hon`ble Mr.Justice P.VADAMALAI

CRL OP(MD). No.10858 of 2025

Silambarasan

... Petitioner/
Sole Accused

Vs

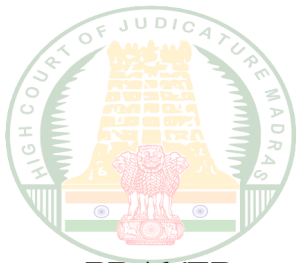
The State rep. by
The Inspector of Police,
Myladumparai Police Station,
Theni District.
(Crime No.23 of 2025)

... Respondent/
Complainant

For Petitioner : Mr.A.Jayaramachandran,
Advocate.

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

PETITION FOR BAIL Under Section 483 B.N.S.S.



CRL OP(MD). No.10858 of 2025

PRAYER :-

For Bail in Crime No.23 of 2025 on the file of the Respondent police.

ORDER : The Court made the following order :-

The petitioner / Sole Accused, who was arrested and remanded to judicial custody on 24.04.2025 for the offences punishable under Section 87 BNS, 2023 and Sections 3 and 6 of Protection of Children from Sexual Offences Act, 2012 in Crime No.23 of 2025 on the file of the respondent police, seeks bail.

2. The case of the prosecution is that on 24.04.2025 at about 08.30 a.m., the petitioner kidnapped the victim child, who was aged 16 years at the time of occurrence and is a sister-in-law of the petitioner and committed the penetrative sexual assault on her. Hence, the case.

3. The learned counsel appearing for the petitioner would submit that the petitioner is an innocent person and he has not committed any offences as alleged by the prosecution and that the petitioner is no way connected with the case, a false case has been lodged as against him. 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 24.04.2025 nearly 70 days. Hence, he seeks bail.



CRL OP(MD). No.10858 of 2025

WEB COPY

4. The learned Government Advocate (Criminal Side) appearing for the respondent would submit that the petitioner had committed the penetrative sexual assault on the victim child and that investigation is almost completed. However, he would fairly concede that the victim did not say anything about the alleged occurrence in her statement recorded under Section 183 BNSS. 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 victim did not say anything about the alleged occurrence in her statement recorded under Section 183 BNSS and that the petitioner remanded into judicial custody on 24.04.2025, 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 Principal Special Court for Exclusive Trial of Cases under POCSO Act, Theni and on further conditions that :-



CRL OP(MD). No.10858 of 2025

WEB COPY

[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;

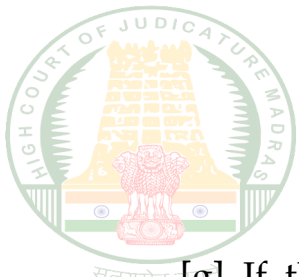
[b] The petitioner shall furnish his residential address and contact number to the Principal Special Court for Exclusive Trial of Cases under POCSO Act, Theni. If the petitioner changes his residential address, he shall report the same to the Principal Special Court for Exclusive Trial of Cases under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

[c] the petitioner shall appear and sign before the respondent police daily 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;

[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]; and



CRL OP(MD). No.10858 of 2025

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

sd/-
30/06/2025

/ TRUE COPY /

30/06/2025

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

CSM
TO

1. The Principal Special Judge
for Exclusive Trial of Cases
under POCSO Act, Theni.
2. The Officer Incharge,
District Prison,
Theni.
3. The Inspector of Police,
Myladumparai Police Station,
Theni District.
4. The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.

ORDER
IN
CRL OP(MD) No.10858 of 2025
Date :30/06/2025

HPS/30.06.2025 /5P/5C

Madurai Bench of Madras High Court is issuing certified copies in this format from 17/07/2023
<https://www.hmc.tn.gov.in/judis>