



CRL OP(MD).No.10873 of 2025

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 03.09.2025

PRESENT

THE HONOURABLE MRS. JUSTICE S.SRIMATHY

CRL OP(MD).No.10873 of 2025

C.Ajithkumar

..Petitioner/Sole Accused

Vs

The State of Tamilnadu
rep.by The Inspector of Police,
All Women Police Station,
Oddanchatram,
Dindigul District.
(Crime No.10 of 2025)

.. Respondent/Complainant

For Petitioner : Mr.R.Shankar Ganesh
Advocate.

For Respondent : Mr.E.Antony Sahaya Prabahar
Additional Public Prosecutor

PETITION FOR BAIL Under Sec.483 of BNSS

PRAYER :- For Bail in Crime No.10 of 2025 on the file of the Respondent Police.

ORDER : This Court made the following order :-



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The petitioner / Sole Accused, who was arrested and remanded into judicial custody on 27.03.2025 for the offences punishable under Sections 5(1), (j), (ii) r/w 6 of the Protection of Child from Sexual Offences Act, 2012, in Crime No.10 of 2025 on the file of the respondent police, seeks bail.

2. The case of the prosecution is that there was a love affair between the petitioner and the victim girl who is aged about 15 years. Further, the petitioner falsely promised to marry the victim girl and committed penetrative sexual assault on the victim girl. Hence, the complaint.

3. The learned counsel for the petitioner would submit that the petitioner is an innocent person and he has not committed any offence as alleged by the prosecution and he has been falsely implicated in this case. He further submitted that there is no previous case pending against the petitioner. He would further submit that the petitioner is in judicial custody from 27.03.2025. Hence, he seeks bail.

4. The learned Government Advocate (Criminal Side) would submit that the petitioner is aged about 22 and the victim girl is aged about 15 years. Further, he



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submit that the petitioner had committed penetrative sexual assault on her. He would further submit that there is no previous case pending against the petitioner. He would further submit that the investigation has been completed and final report has been filed before the learned 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 the fact that it is a case of love affair and the petitioner was arrested on 27.03.2025 and the investigation has been almost completed and also consideration the period of incarceration suffered by the petitioner, 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.10,000/- (Rupees Ten Thousand only) with two sureties, each for a like sum to the satisfaction of the learned 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.



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[b] The petitioner shall furnish his residential address and mobile number to the learned Special Court for Exclusive Trial of Cases under POCSO Act, Dindigul.

(c) If the petitioner changes his residential address, he shall report the same to the learned Special Court for Exclusive Trial of Cases under POCSO Act, Dindigul.

[d] the petitioner shall report before the learned Special Court for Exclusive Trial of Cases under POCSO Act, Dindigul, once in a week at 10.30 a.m., until further orders.

[e] the petitioner shall not abscond either during investigation or trial.

[f] the petitioner shall not tamper with evidence or witness either during investigation or trial.

[g] 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].



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

sd/-
03/09/2025

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/09/2025
Sub-Assistant Registrar
(C.S. / II)
Madurai Bench of Madras High Court,
Madurai - 625 023.

vsg

TO

1 The Learned Special Court
For Exclusive Trial of Cases
Under Pocso Act,
Dindigul.

2 The Officer-In-Charge,
District Jail,
Dindigul.

3 The Inspector of Police,
All Women Police Station,
Oddanchatram,
Dindigul District.

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



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ORDER
IN
CRL OP(MD) No.10873 of 2025
Date :03/09/2025

NM/03.09.2025/ 6P/6C

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