



CRL OP(MD).No.11334 of 2025

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 17/07/2025

PRESENT

THE HONOURABLE MR.JUSTICE P.VADAMALAI

CRL OP(MD).No.11334 of 2025

Muthukumar,
S/o.Karuppaiah,

..Petitioner/ Accused

Vs

The State of Tamilnadu
rep.by The Inspector of Police,
AWPS Police Station,
Illuppur, Pudukotattai District.
(Crime No.11 of 2025)

.. Respondent/ Complainant

For Petitioner : M/s.V.G.Vallarasu Chezhiyan
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.11 of 2025 on the file of the Respondent Police.



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ORDER : This Court made the following order :-

The petitioner / Accused, who was arrested and remanded to judicial custody on 15.06.2025 for the offences punishable under Sections 332, 64(2)(k) of BNS in Crime No.11 of 2025 on the file of the respondent police, seeks bail.

2. The case of the prosecution is that the victim and the petitioner are neighbours. The daughter of the defacto-complainant's younger sister is a mentally retarded person. On 14.06.2025, this petitioner had committed rape. Hence, the case.

3. The learned counsel for the petitioner would submit that the respondent police has lodged a false complaint against this petitioner. 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 15.06.2025 nearly 31 days. Hence, he seeks bail.

4. The learned Government Advocate (Criminal Side) would submit that victim as well as the father of the victim are mentally challenged persons, this petitioner



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misbehaved with the victim and committed rape. The victim is not able to speak properly, she explained the same by showing actions. In this case, statement under section 183 of BNSS was recorded with the help of special teacher. There is no previous case against this petitioner. 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 in this case, FIR was registered on 15.06.2025, 183(5) of BNSS statement has been recorded, by this time most of the investigation might have been completed, the petitioner/accused remanded into judicial custody on 15.06.2025, 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 learned Judicial Magistrate, Illupur, Pudukottai District and on further conditions that :-



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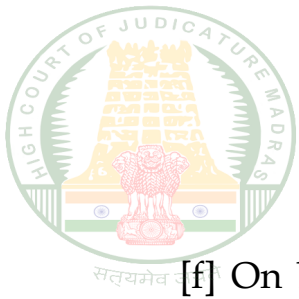
[a] the sureties shall affix their photographs and Left Thumb Impression in the surety bond and the Magistrate may obtain a copy of their Aadhar card or Bank pass Book to ensure their identity.

[b] The petitioner shall furnish his residential address and contact number to the learned Judicial Magistrate, Illupur, Pudukottai District. If the petitioner changes his residential address, he shall report the same to the learned Judicial Magistrate, Illupur, Pudukottai District;

[c] the petitioner shall stay at Dindigul and appear and sign before the Inspector of Police, Dindigul Taluk Police Station daily twice at 10.00 a.m., and 05.00p.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/-
17/07/2025

/ TRUE COPY /

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

gvn

TO

1. The Judicial Magistrate,
Illupur, Pudukottai District.
- 2 Do through The Chief Judicial Magistrate,
Pudukottai District.



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3. The Officer-incharge,
District Prison,
Pudukottai.

4. The Inspector of Police,
AWPS Police Station,
Illuppur, Pudukottai District.

5. The Inspector of Police,
Dindigul Taluk Police Station,
Dindigul District.

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

ORDER
IN
CRL OP(MD) No.11334 of 2025
Date :17/07/2025

AS/SAR/18.07.2025/6P/7C

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