



CRL OP(MD).No.11598 of 2025

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

Date : 16/07/2025

PRESENT

THE HONOURABLE MR.JUSTICE P.VADAMALAI

CRL OP(MD).No.11598 of 2025

Periya Mayan,
S/o.Paramasivam,

:Petitioner/Sole Accused

Vs

The State of Tamilnadu
rep.by The Inspector of Police,
AWPS Vadamadurai Police Station,
Dindigul District.
(Crime No.17 of 2025)

.. Respondent/Complainant

For Petitioner : Mr.A.Thiyagarajan,
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.17 of 2025 on the file of the Respondent Police.

ORDER : This Court made the following order :-

The petitioner /Sole Accused, who was arrested and remanded to judicial



CRL OP(MD).No.11598 of 2025

custody on 24.05.2025 for the offences punishable under Section 5(1), 5(j)(ii) and 6 of
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Protection of Child from Sexual Offences Act, 2012 and Section 89 of BNS 2023, in
Crime No.17 of 2025 on the file of the respondent police, seeks bail.

2.The case of the prosecution is that the petitioner by giving false promise that he will marry the victim girl, had sexual intercourse with her, who was minor at the time of occurrence. When the petitioner came to know about the pregnancy of the victim, he gave tablet to abort the foetus without consulting a Doctor and thereafter, he refused to marry her. 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. 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 24.05.2025 nearly 52 days. Hence, he seeks bail.

4. The learned Government Advocate (Criminal Side) would submit that petitioner and the victim loved each other. The petitioner by giving false promise that he will marry the victim girl, had sexual intercourse with victim/minor girl.



CRL OP(MD).No.11598 of 2025

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When the petitioner came to know about the pregnancy of the victim, he gave tablet to abort the foetus without consulting a Doctor and thereafter, he refused to marry her. However, he would fairly concede that the petitioner has filed an undertaking affidavit stating that he is ready and willing to marry the victim. Paragraph No.4 of the undertaking affidavit is extracted hereunder :

“4.I submit that I moved a bail application before this Court in CrI.O.P(MD) No.11598 of 2025, when the matter came for hearing on 09.07.2025. I submitted that I am ready to marry the victim girl with my own expense and I assured that I will take care of the victim and case is again posted on 16.07.2025.”

5. The above undertaking affidavit filed by the petitioner is recorded. Taking into consideration of the facts and circumstances of the case and also taking note of the fact that in this case, the petitioner and the victim loved each other and as per submissions made by learned counsel on either side, the victim attained majority and also taking note of the undertaking affidavit filed by the petitioner and also the fact that the petitioner/accused remanded into judicial custody on 24.05.2025, 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



CRL OP(MD).No.11598 of 2025

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bond for a sum of Rs.10,000/- (Rupees Ten Thousand only) with two sureties, each for a like sum to the satisfaction of learned Sessions Judge, 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.

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

[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



CRL OP(MD).No.11598 of 2025

Court is entitled to take appropriate action against the petitioner in accordance with
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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/-
16/07/2025

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

das

TO

1.The Sessions Judge,
Special Court for Exclusive
Trial of cases under POCSO Act,
Dindigul

2. The Superintendent of Prison,
Central Prison, Madurai.



CRL OP(MD).No.11598 of 2025

3. The Inspector of Police,
AWPS Vadamadurai Police Station,
Dindigul District.

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

+1 CC to M/s.A.THIYAGARAJAN, Advocate (SR-7691[I] dated 17/07/2025)

ORDER
IN

CRL OP(MD) No.11598 of 2025

Date :16/07/2025

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