



CRL OP(MD). No.11730 of 2025

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

Date : 25/07/2025

PRESENT

THE HONOURABLE MR. JUSTICE P. VADAMALAI

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Thangapandi.

..Petitioner/ Accused No.1

Vs

State of Tamil Nadu
Rep by the Inspector of Police,
All Women Police Station,
Madurai Town.
(Crime No.11 of 2024)

... Respondent/ Complainant

For Petitioner : Mr.S.Elangovan
Advocate.

For Respondent : Mr.S.Prakash
Government Advocate (Crl.Side)

PETITION FOR BAIL Under Sec.483 of BNSS

PRAYER :- For Bail in Crime No.11 of 2024 on the file of the respondent police.



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ORDER: The Court made the following order :-

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The petitioner /Accused No.1, who was arrested and remanded to judicial custody on 04.10.2024 for the offences punishable under Sections 5(1), 5(j)(ii), 6 of POCSO and 506(1) of IPC, in Crime No.11 of 2024 on the file of the respondent police, seeks bail,

2. The case of the prosecution is that the petitioner along with other accused person had committed penetrative sexual assault on the victim girl, due to which she was pregnant and thereafter aborted the fetus. 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. He would further submit that the victim girl had married another person. He further submit that the petitioner is ready and willing to abide by any conditions that may be imposed by this Court. He would further submit that the petitioner is in custody from 04.10.2024. Hence, he seeks bail.

4. The learned Government Advocate (Criminal Side) submitted that the statement under Section 183 of BNSS has been recorded from the victim girl. He would further submit that the investigation has been completed and the charge



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sheet has also been filed in Spl.S.C.No.120 of 2025 before the POCSO Court, Madurai. However, he objected for grant of bail to the petitioner.

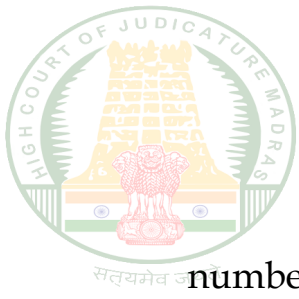
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5. Taking into consideration of the facts and circumstances of the case and also the fact that the investigation has been completed and the charge sheet has also been filed and the same was taken on file in Spl.S.C.No.120 of 2025 on the file of the POCSO Court, Madurai and the victim girl has married another person and also considering 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.25,000/- (Rupees Twenty Five thousand only) with two sureties, each for a like sum to the satisfaction of the Sessions Judge, Principal Special Court for Exclusive Trial of Cases under POCSO Act, Madurai, 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 mobile



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number to the Sessions Judge, Principal Special Court for Exclusive Trial of Cases under POCSO Act, Madurai.

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

[d] the petitioner shall report before the respondent police daily at 10.30 a.m., and 05.30 p.m., until further orders except on hearing dates. Further, the petitioner is directed to appear before the Sessions Judge, Principal Special Court for Exclusive Trial of Cases under POCSO Act, Madurai, on all hearing dates.

[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/-
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/07/2025

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

mrm
To

1. The Sessions Judge, Principal Special Court
for Exclusive Trial of Cases under POCSO Act, Madurai.
2. The Superintendent,
Government Special Home for Children,
Chengalpattu.
3. The Inspector of Police,
All Women Police Station,
Madurai Town.
4. The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.

+1 CC to M/s.S.ELANGO VAN, Advocate (SR-8075[I] dated 28/07/2025)



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ORDER

IN

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Date :25/07/2025

PS/SAR.28.07.2025 6P/6C

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