



**CRL OP(MD).No.12096 of 2025**

**BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT**  
**WEB COPY**

**( Criminal Jurisdiction )**

**Date : 18/07/2025**

**PRESENT**

**THE HONOURABLE MR.JUSTICE P.VADAMALAI**

**CRL OP(MD).No.12096 of 2025**

**Mohan,  
S/o.Raju,**

**..Petitioner/ A2**

**Vs**

**The State of Tamilnadu  
rep.by The Inspector of Police,  
Thucklay Police Station,  
Thuckalay, Kanyakumari District.  
(Crime No.229 of 2025)**

**.. Respondent/ Complainant**

**For Petitioner : Mr.N.Vignesh,  
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.229 of 2025 on the file of the Respondent Police.

**ORDER:** This Court made the following order :-

**The petitioner /A2, who was arrested and remanded to judicial custody on**



CRL OP(MD).No.12096 of 2025

17.03.2025 for the offences punishable under Sections 96, 64 and 351(2) of BNS 2023 and Sections 5(l), 6, 9(m), 10, 7 & 8 of POCSO Act 2012 in Crime No.229 of 2025 on the file of the respondent police, seeks bail.

2.The case of the prosecution is that there are two victim girls. The elder victim girl is having love affair and she continuously using mobile phone and watching social media. Due to which, her grandmother scolded her and hence, the victim girl along with her sister went out from the house. At that time, the first accused waylaid them and asked about them. The victim girls told that they went out from the house due to quarrel with their grandmother. The first accused introduced himself as Advocate and show his ID card to them and took them in to his office. Thereafter, the first accused had committed sexual intercourse with the elder victim girl. Subsequently, the first accused sent the victim girls to the Vadaseri Bus stand. Thereafter, the victim girls went to the petitioner's home and stayed there and at that time, the respondent police secured the victim girls. Hence, the case.

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 even in the FIR, there is no overtact as against the petitioner and the statement recorded under Section 183 BNSS, the



CRL OP(MD).No.12096 of 2025

victims have not stated anything about the petitioner. He would further submit  
WEB COPY  
that the petitioner is in custody from 17.03.2025 nearly 122 days. Hence, he seeks  
bail.

4. The learned Government Advocate (Criminal Side) would submit that respondent police secured the victim girls from the house of the petitioner. However, he would fairly submit that the statement recorded under Section 183 BNSS, the victims have not stated anything about the present petitioner and the petitioner is not having any previous case. He would further submit that the respondent police after completing the investigation has laid the final report before the Special Court of POCSO Act cases, Nagercoil and the same was taken on file in Spl.S.C.No.29 of 2025.

5. Taking into consideration of the facts and circumstances of the case and also taking note of the fact that the investigation has already been completed and charge sheet has also been filed and taking note of the fact that the petitioner is not having any previous case and there is no allegation as against the petitioner in the FIR and the statement recorded under Section 183 of BNSS, the victims have not stated anything about the petitioner and also considering the fact that the



CRL OP(MD).No.12096 of 2025

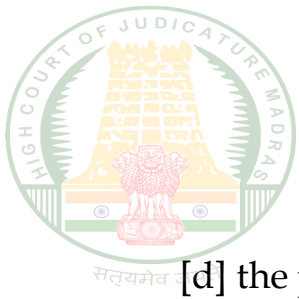
petitioner/Accused is in judicial custody from 17.03.2025, taking into consideration  
WEB COPY  
of the period of incarceration, this court is inclined to grant bail to the petitioner,  
subject to the following conditions:

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 Principal District Court, Kanniyakumari at Nagercoil 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 Principal District Court, Kanniyakumari at Nagercoil. If the petitioner changes his residential address, he shall report the same to the learned Principal District Court, Kanniyakumari at Nagercoil;

[c] the petitioner is directed to stay at Tirunelveli and appear before the Vickramasingapuram Police Station daily twice i.e., 10.00 a.m., and 05.00 pm., except hearing dates. On every hearing date, the petitioner shall appear before the trial Court.



CRL OP(MD).No.12096 of 2025

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

WEB COPY

[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].

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

sd/-  
18/07/2025

/ TRUE COPY /

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

DAS  
TO

1 THE PRINCIPAL DISTRICT COURT,  
KANNIYAKUMARI, NAGERCOIL.

2 THE OFFICER INCHARGE,  
SUB JAIL,  
NAGERCOIL.



CRL OP(MD).No.12096 of 2025

3 THE INSPECTOR OF POLICE,  
THUCKLAY POLICE STATION,  
THUCKALAY,  
KANYAKUMARI DISTRICT.

4 THE INSPECTOR OF POLICE,  
VICKRAMASINGAPURAM POLICE STATION,  
TIRUNELVELI.

5 THE ADDITIONAL PUBLIC PROSECUTOR,  
MADURAI BENCH OF MADRAS HIGH COURT,  
MADURAI.

+1. CC to N.VIGNESH Advocate SR.No.7778 (I) DT.18/07/2025

ORDER  
IN  
CRL OP(MD) No.12096 of 2025  
Date :18/07/2025

NM/18.07.2025/ 6P/7C

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