



CRL OP(MD).No.12258 of 2025

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 21/07/2025

PRESENT

THE HONOURABLE MR.JUSTICE P.VADAMALAI

CRL OP(MD).No.12258 of 2025

M.Srikanth,
S/o.Mathiyalagan,

..Petitioner/ Accused No.2

Vs

The State of Tamilnadu
rep.by The Inspector of Police,
All Women Police Station,
Papanasam,
Thanjavur District.
(Crime No.32 of 2023)

.. Respondent/ Complainant

For Petitioner : M/s.K.Chinraj
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.32 of 2023 on the file of the Respondent Police.

ORDER : This Court made the following order :-

The petitioner / Accused No.2, who was arrested and remanded to judicial custody on 22.12.2023 for the offences punishable under Sections 5(g), 5(1), 6, 9(g), 9(1), 10, 13(a), 14(1) of POCSO Act in Crime No.32 of 2023 on the file of the



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respondent police, seeks bail.

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2. The case of the prosecution is that this petitioner along with other accused had committed sexual assault and harassed the victim, who is aged about 16 years. Hence, the case.

3. The learned counsel for the petitioner would submit that there are totally four accused persons, this petitioner was arrayed as accused No.2. 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. Except this petitioner, other co-accused were enlarged on bail by this Court. He would further submit that the petitioner is in custody from 22.12.2023 nearly 486 days. Hence, he seeks bail.

4. The learned Government Advocate (Criminal Side) would submit that this petitioner along with other accused had committed sexual assault and harassed the victim, who is aged about 16 years. In this case, there are four accused persons involved, A3 released on bail by the Principal Special Court for Exclusive Trial of



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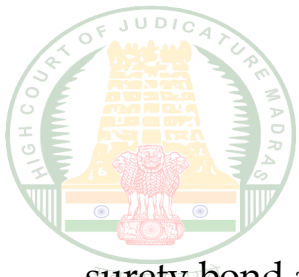
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Cases under POCSO Act, Thanajvur and the fourth accused was granted bail by this court in Crl.O.P.(MD).No.7467 of 2024 and the first accused was granted bail by this court on 11.07.2025 in Crl.O.P.(MD).No.9806 of 2025. At the time of examination, the victim girl turned hostile. 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, the other co-accused were already released on bail, the victim girl turned hostile, there is no previous case against this petitioner, the petitioner/accused No.2 remanded into judicial custody on 22.12.2023, 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 Principal Special Court for Exclusive Trial of cases under POCSO Act, Thanjavur and on further conditions that :-

[a] the sureties shall affix their photographs and Left Thumb Impression in the



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surety bond and the Magistrate may obtain a copy of their Aadhar card or Bank pass
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Book to ensure their identity.

[b] The petitioner shall furnish his residential address and contact number to the learned Principal Special Court for Exclusive Trial of cases under POCSO Act, Thanjavur. If the petitioner changes his residential address, he shall report the same to the learned Principal Special Court for Exclusive Trial of cases under POCSO Act, Thanjavur;

[c] the petitioner shall appear and sign before the respondent police daily at 10.30 a.m., except on hearing dates, until further orders; and also the petitioner shall appear before the concerned trial Court on hearing dates.

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

sd/-
21/07/2025

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

gvn

To:

1. The Judge, Principal Special Court for Exclusive Trial of cases under POCSO Act, Thanjavur
2. The Officer Incharge, Sub Jail, Pabanasam, Thanjavur.
3. The Inspector of Police,
All Women Police Station,
Papanasam, Thanjavur District.
4. The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.

+1 CC to M/s.K.CHINRAJ, Advocate (SR-7821[I] dated 21/07/2025)

ORDER IN
CRL OP(MD) No.12258 of 2025
Date :21/07/2025

SBN/22.07.2025 5P/6C

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