



CRL OP(MD).No.12337 of 2025

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

Date : 28/07/2025

PRESENT

THE HONOURABLE MR.JUSTICE P.VADAMALAI

CRL OP(MD).No.12337 of 2025

Alagappan,
S/o.Chellaiah,

Vs

..Petitioner/ Accused

The State of Tamilnadu
rep.by The Inspector of Police,
All Women Police Station,
Alangudi,
Pudukottai District.
(Crime No.15 of 2025)

.. Respondent/Complainant

For Petitioner : Mr.A.Saravanan
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.15 of 2025 on the file of the Respondent Police.

ORDER : This Court made the following order :-

The petitioner / Accused who was arrested and remanded to judicial custody



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on 09.05.2025 for the offences punishable under Section 9(m) and 9(n) r/w.10 of
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Protection of Child from Sexual Offences Amendment Act, 2019 and Sections 133
and 351(2) of the BNS, 2023 in Crime No.15 of 2025 on the file of the respondent
police, seeks bail.

2. The case of the prosecution is that the defacto-complainant's husband Muthusamy and the petitioner's wife namely Anajali are the brother and sister. A money dispute was already taken place between them. On 03.05.2025, this petitioner came to the house of the defacto-complainant and touched the private parts of defacto-complainant's daughter Hence, the case.

3. The learned counsel for the petitioner would submit that due to previous motive the defacto-complainant lodged a false complaint against this petitioner. This 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 09.05.2025, nearly 91 days. Hence, he seeks bail.



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4. The learned Government Advocate (Criminal Side) would submit that the age of victim girl is ten years, on the date of occurrence the victim girl and two minor brother are there in the victim's house, their parents are not there. On knowing the same, the petitioner visited the house of the victim and he misbehaved with the victim and touched her private part. She pushed the petitioner and made alarm then only others came to the occurrence place. In this case, this petitioner also lodged complaint against the defacto-complainant. In this case, investigation was completed, charge sheet has also been filed through e-filing mode. 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, investigation was completed, charge sheet has been filed through e-filing mode, there is no previous case against this petitioner, the petitioner/accused is in judicial custody from 09.05.2025, 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



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bond for a sum of Rs.25,000/- (Rupees Twenty Five Thousand only) with two
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sureties, each for a like sum to the satisfaction of learned Sessions Judge, Mahila
Court, Pudukottai 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.

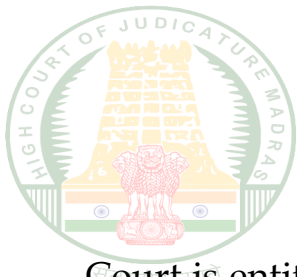
[b] The petitioner shall furnish his residential address and contact number to
the learned Sessions Judge, Mahila Court, Pudukottai. If the petitioner changes his
residential address, he shall report the same to the learned Sessions Judge, Mahila
Court, Pudukottai;

[c] the petitioner shall appear and sign before the respondent police daily
twice at 10.30.a.m. And 05.30pm. 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



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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/-
28/07/2025

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28/07/2025
Sub-Assistant Registrar (C.S. I / II / III / IV)
Madurai Bench of Madras High Court,
Madurai - 625 023.

gvn
TO

1. The Sessions Judge, Mahila Court,
Pudukottai.
2. The Officer In-charge, District Jail, Pudukottai.
3. The Inspector of Police,
All Women Police Station,
Alangudi,
Pudukottai District.
4. The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.



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ORDER
IN

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Date :28/07/2025

HPS/28.07.2025 /6P/6C

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