



CRL OP(MD).No.12999 of 2025

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 05.08.2025

PRESENT

The HONOURABLE MR. JUSTICE P. VADAMALAI

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Vaigundam,
S/o.Thiraviam Nadar

.. Petitioner/Sole Accused

Vs

The State of Tamilnadu
rep.by The Inspector of Police,
Nanguneri Police Station,
Tirunelveli District.
(Crime No.28 of 2025)

.. Respondent/Complainant

For Petitioner : Mr.K.Sivabalan,
Advocate

For Respondent : Mr.Thanga Aravindh.B,
Government Advocate (Crl.Side)



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PETITION FOR BAIL Under Sec.483 of BNSS

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PRAYER :- For Bail in Crime No.28 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 on 24.06.2025 for the offences punishable under Sections 7 and 8 of POCSO Act, 2012 in Crime No.28 of 2025 on the file of the respondent police, seeks bail.

2. The case of the prosecution is that on 22.06.2025, at about 5.00 p.m., while the victim girl went to the accused's house to collect “கழுநீர்” (fodder) to feed their cows, the accused allegedly made physical contact with her with sexual intent. Hence, the present case.

3. The learned counsel for the petitioner submitted that the petitioner is an innocent person and has not committed any offence as alleged by the prosecution. He has been falsely implicated in this case. Hence, he seeks bail for the petitioner.

4. The learned Government Advocate (Criminal Side) submitted that the petitioner is the sole accused in this case. The victim girl is aged about 10 years, and



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the accused is aged 58 years. While the victim girl went to the accused's house to collect fodder to feed their cows, the accused misbehaved with the victim girl and sexually assaulted her. He further submitted that there are no previous cases registered against the petitioner. However, he opposed to grant bail to the petitioner.

5. Taking into consideration of the facts and circumstances of the case, and taking note of the fact that the petitioner was remanded to judicial custody on 24.06.2025, and that as the date of occurrence is 22.06.2025, by this time material part of the investigation might have been completed, and that there are no previous cases registered against the petitioner, and also considering the period of incarceration already undergone 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 learned Special Judge for POCSO Act, Tirunelveli 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 Special Judge for POCSO Act, Tirunelveli. If the petitioner changes his residential address, he shall report the same to the learned Special Judge for POCSO Act, Tirunelveli;

[c] the petitioner shall stay at Madurai and sign before the Inspector of Police, Tallakulam Police Station, Madurai daily twice i.e. at 10.00 a.m. and 05.00 p.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 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
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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]; and;

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

sd/-
05/08/2025

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/08/2025
Sub-Assistant Registrar (C.S.-I/ II /III/ IV)
Madurai Bench of Madras High Court,
Madurai - 625 023.

mkn
TO

- 1.The Special Court for POCSO Act,
Tirunelveli.
- 2.The Superintendent,
Central Prison,
Palayamkottai.
- 3.The Inspector of Police,
Nanguneri Police Station,
Tirunelveli District.



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

Copy to
The Inspector of Police,
Tallakulam Police Station,
Madurai.

+1 CC to M/s.ALAN LEGAL CONSULTANCY, Advocate (SR-8470[I] dated
06/08/2025)

ORDER
IN
CRL OP(MD) No.12999 of 2025
Date :05/08/2025

PS/SAR.06.08.2025 6P/7C

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