



CRL OP(MD).No.13265 of 2025

WEB COPY

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 07/08/2025

PRESENT

THE HONOURABLE MR. JUSTICE P.VADAMALAI

CRL OP(MD).No.13265 of 2025

Palanivelrajan
S/o.Murugesan

...Petitioner/Sole Accused

Vs.

The State of Tamil Nadu through
The Inspector of Police,
All Women Police Station,
Manamadurai,
Sivagangai District.
(Crime No.22 of 2025)

...Respondent/Complainant

For Petitioner : Mr.D.S.Haroon Rasheed
Advocate.

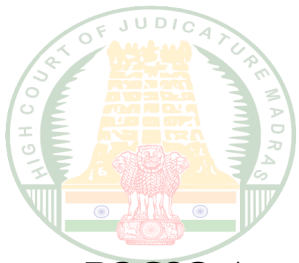
For Respondent : Mr.B.Thanga Aravindh
Government Advocate (Crl.Side)

PETITION FOR BAIL Under Sec.483 of BNSS

PRAYER :- For Bail in Crime No.22 of 2025 on the file of the Respondent Police.

ORDER : This Court made the following order :-

The petitioner / Sole Accused, who was arrested and remanded to judicial custody on 31.05.2025 for the offences punishable under Section 7 r/w Section 8 of



CRL OP(MD).No.13265 of 2025

POCSO Act, 2012, in Crime No.22 of 2025 on the file of the respondent police, seeks
WEB COPY
bail.

2. The case of the prosecution is that on 13.05.2025 at about 12.15 hours, when the defacto complainant's daughter, who is aged about 14 years, went to the shop to purchase the Avin Milk as well as to take a Xerox copy, at that time, the petitioner misbehaved with the minor victim girl. After the incident, the same was also intimated to the defacto complainant. Based on the complaint lodged by the defacto complainant, the case has been registered.

3. The learned counsel for the petitioner would submit that the petitioner has not committed any offence as alleged by the prosecution. He would further submit that the investigation has been completed and the charge sheet has also been filed before the concerned Court on 22.06.2025. Earlier bail application filed in Cr.M.P.No.92 of 2025 before the learned Sessions Judge, Principal Special Court for Exclusive Trial of Cases under the POCSO Act 2012, Sivagangai and the same was also dismissed on 31.07.2025. He would further submit that the petitioner is in judicial custody from 31.05.2025 and is ready to abide by any conditions imposed by this Court. Hence, he seeks bail.

4. The learned Government Advocate (Criminal Side) appearing for the respondent police submitted that the accused's age is 48 years and the victim's age is



CRL OP(MD).No.13265 of 2025

WEB COPY

14 years. The victim girl went to the Xerox shop for taking a copy, at that time the petitioner misbehaved with the victim by touching the private part and committed sexual assault. No penetrative sexual assault was committed. He would further submit that the investigation has been completed and the charge sheet has also been filed in Spl.S.C.No.63 of 2025 before the Special Court for Exclusive Trial of Cases under POCSO Act, Sivagangai and the statement of the victim girl was recorded under Section 164 of Cr.P.C. (U/s.183 of BNSS) and the same was also filed. However, he opposed to grant bail to the petitioner.

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.63 of 2025 on the file of the Special Court for Exclusive Trial of Cases under POCSO Act, Sivagangai and the petitioner was arrested on 31.05.2025 and taking into consideration of the period of incarceration and also taking note of the fact that the petitioner is having permanent address and there is no chance of absconding, 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 Special Court for Exclusive



CRL OP(MD).No.13265 of 2025

Trial of Cases under POCSO Act, Sivagangai, and on further conditions that :-

WEB COPY

[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 Special Court for Exclusive Trial of Cases under POCSO Act, Sivagangai. If the petitioner changes his residential address, he shall report the same to the Special Court for Exclusive Trial of Cases under POCSO Act, Sivagangai;

[c] the petitioner shall appear and sign before the respondent police daily at 10.00 a.m., until further orders except on hearing dates. On hearing dates, he shall appear before the trial Court;

[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].



CRL OP(MD).No.13265 of 2025

WEB COPY

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

sd/-
07/08/2025

/ TRUE COPY /

07/08/2025
Sub-Assistant Registrar
(C.S. I / II / III / IV)
Madurai Bench of Madras High Court,
Madurai - 625 023.

vsd
TO

- 1.The Special Judge,
Special Court for Exclusive Trial of Cases under POCSO Act,
Sivagangai.
- 2.The Superintendent, Sub Jail, Sivagangai.
- 3.The Inspector of Police,
All Women Police Station,
Manamadurai, Sivagangai District.
- 4.The Additional Public Prosecutor,
Madurai Bench of Madras High Court, Madurai.

ORDER IN
CRL OP(MD) No.13265 of 2025
Date :07/08/2025

SBN/07.08.2025 5P/5C

Madurai Bench of Madras High Court is issuing certified copies in this format from 17/07/2023
<https://www.hmc.tn.gov.in/judis>