



CRL OP(MD). No.13551 of 2025

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 13.08.2025

PRESENT

The Hon`ble Mr.Justice P.VADAMALAI

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Selvakumar

... Petitioner/ 2nd Accused

Vs

The State of Tamilnadu rep. by
The Inspector of Police,
Aranthangi Police Station,
Pudukottai District.
(Crime No.259 of 2025)

... Respondent/ Complainant

For Petitioner : Mr.S.Poornachandran,
Advocate.

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

PETITION FOR BAIL Under Section 483 B.N.S.S.

PRAYER :-

For Bail in Crime No.259 of 2025 on the file of the Respondent police.



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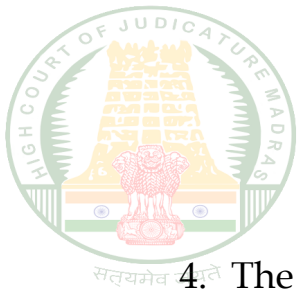
ORDER : The Court made the following order :-

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The petitioner / Accused No.2, who was arrested and remanded to judicial custody on 20.06.2025 for the offences punishable under Sections 87 and 49 BNS, 2023 altered into Sections 87 and 49 BNS and Sections 9(l) r/w 10, 5(l) r/w 6(l), 16 and 17 of the POCSO Amendment Act, 2019 in Crime No.259 of 2025 on the file of the respondent police, seeks bail.

2. The case of the prosecution is that on 15.06.2025, the defacto complainant lodged a complaint before the respondent police alleging that the accused 1 and 2 along with some persons had kidnapped her second daughter for marry her to the first accused, who is the brother of the petitioner.

3. The learned counsel appearing for the petitioner would submit that the petitioner is an innocent person and he has not committed any offences as alleged by the prosecution and that a false case has been lodged as against the petitioner. 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 20.06.2025 nearly 54 days. Hence, he seeks bail.



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4. The learned Government Advocate (Criminal Side) appearing for the respondent police would submit that there are totally 3 accused, the petitioner arrayed as A2. He would further submit that in the statement recorded under Section 183(6) BNSS from the victim girl, it has been stated that the first accused had committed penetrative sexual assault on the victim girl and that the petitioner has also misbehaved with the victim girl. He would submit that the third accused, who is the father of the accused 1 and 2, was already arrested and released on bail by the Mahila Court, Pudukkottai in Crl.M.P.No.154 of 2025 dated 19.07.2025, that the first accused was arrested and is still in custody and that the petitioner is not having any previous cases. However, he objected to grant bail to the petitioner.

5. Taking into consideration of the facts and circumstances of the case and also the allegation levelled against the petitioner and considering the facts that the third accused was already released on bail and that by this time, most of the investigation might have been completed and also the fact that the petitioner is not having any bad antecedents and taking note of the fact that the petitioner remanded into judicial custody on 20.06.2025, taking into consideration of the period of incarceration, this court is inclined to grant bail to the petitioner, subject to the following conditions:



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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 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 Sessions Judge, Mahila Court, Pudukottai. If the petitioner changes his residential address, he shall report the same to the Sessions Judge, Mahila Court, Pudukottai;

[c] the petitioner shall stay at Madurai and appear and sign before the Inspector of Police, Thideer Nagar Police Station, Madurai District daily two times at 10.00 a.m. and 05.00 p.m., until further orders;

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



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[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]; and

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

sd/-
13/08/2025

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

CSM



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TO
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1. The Sessions Judge, Mahila Court,
Pudukottai.
2. The Superintendent,
District Prison, Pudukottai.
3. The Inspector of Police,
Aranthangi Police Station,
Pudukottai District.
4. The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.

COPY TO

The Inspector of Police,
Thideer Nagar Police Station,
Madurai District.

ORDER

IN

CRL OP(MD) No.13551 of 2025

Date :13/08/2025

PR/14.08.2025 6P/6C

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