



CRL OP(MD).No.13631 of 2025

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 29/08/2025

PRESENT

The HONOURABLE MR. JUSTICE P. VADAMALAI

CRL OP(MD).No.13631 of 2025

Krishnan,
S/o.Perumal

.. Petitioner/Sole Accused

Vs

The State of Tamilnadu
rep. by The Inspector of Police,
Karaikudi All Women Police Station,
Karaikudi, Sivagangai District.
(Crime No.17 of 2025)

.. Respondent/Complainant

For Petitioner : Mr.P.Mahendran,
Advocate

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

PETITION FOR BAIL Under Sec.483 of BNSS

PRAYER :- For Bail in Crime No.17 of 2025 on the file of the Respondent Police.



CRL OP(MD).No.13631 of 2025

ORDER : This Court made the following order :-

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The petitioner/ Accused, who was arrested and remanded to judicial custody on 04.07.2025 for the alleged offences punishable under Section 351(2) of BNS, 2023 r/w. Sections 5(l) and 6 of POCSO Act, 2012 in Crime No.17 of 2025 on the file of the respondent police, seeks bail.

2. The case of the prosecution is that the de-facto complainant is the mother of the victim girl. The petitioner, who is aged about 60 years, is said to have committed penetrative sexual assault on the victim girl, who is aged about 16 years. Hence, the present case has been registered.

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 further submitted that the petitioner and the de-facto complainant are neighbours. Due to previous dispute between the petitioner's family and the de-facto complainant's family, the de-facto complainant has lodged the present false complaint against the petitioner. He further submitted that the date of alleged occurrence is 26.01.2025, but the present complaint was lodged only on 03.07.2025. He, however, submitted that the petitioner is ready and willing to abide by any conditions that may be imposed by this Court, and he has been in judicial custody from 04.07.2025. Hence, he prays for grant of bail to the petitioner.



CRL OP(MD).No.13631 of 2025

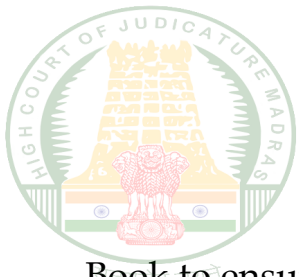
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4. The learned Government Advocate (Criminal Side) submitted that the petitioner is the sole accused in this case. He further submitted that the statement of the victim girl, recorded on 28.08.2025 under Section 164 Cr.P.C./Section 183 BNSS, establishes only the offence of sexual assault against the petitioner. However, he opposed the grant of bail to the petitioner.

5. Taking into consideration the facts and circumstances of the case, and taking note of the fact that the petitioner was remanded to judicial custody on 04.07.2025, and that the alleged occurrence took place on 26.01.2025, but the complaint was lodged only on 03.07.2025 i.e. after a lapse of five months, and also considering the period of incarceration already undergone by the petitioner, and the fact that by this time, the major part of the investigation might have been completed, 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 Principal Special Judge for Exclusive Trial of Cases under the POCSO Act, 2012, Sivagangai 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



CRL OP(MD).No.13631 of 2025

Book to ensure their identity;

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[b] the petitioner shall furnish his residential address and contact number to the learned Principal Special Judge for Exclusive Trial of Cases under the POCSO Act, 2012, Sivagangai. If the petitioner changes his residential address, he shall report the same to the learned Principal Special Judge for Exclusive Trial of Cases under the POCSO Act, 2012, Sivagangai;

[c] the petitioner shall stay at Dindigul District and sign before the Inspector of Police, Dindigul Taluk Police Station, Dindigul District daily twice i.e. at 10.00 a.m. and 05.00 p.m. for a period of one month. Thereafter, the petitioner shall report the respondent police daily at 10.00 a.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 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;



CRL OP(MD).No.13631 of 2025

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

sd/-
29/08/2025

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29/08/2025
Sub-Assistant Registrar
Madurai Bench of Madras High Court,
Madurai - 625 023.

mkn
TO

1.The Principal Special Judge for Exclusive Trial
of Cases under the POCSO Act, 2012,
Sivagangai.

2.The Superintendent,
Central Jail,
Madurai.

3.The Inspector of Police,
Karaikudi All Women Police Station,
Karaikudi, Sivagangai District.

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

Copy To
The Inspector of Police,
Dindigul Taluk Police Station,
Dindigul District.

+1 CC to M/s.P.MAHENDRAN, Advocate (SR-9408[I] dated 29/08/2025)



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CRL OP(MD).No.13631 of 2025

ORDER

IN

CRL OP(MD) No.13631 of 2025

Date :29/08/2025

HPS/29.08.2025 6P/7C

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