



CRL OP(MD).No.13640 of 2025

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 18/08/2025

PRESENT

THE HONOURABLE MR.JUSTICE P.VADAMALAI

CRL OP(MD).No.13640 of 2025

Dineshkumar,
S/o.Chinnakalai,

..Petitioner/ Accused

Vs

The State of Tamilnadu
rep.by The Inspector of Police,
Town South Police Station,
Dindigul District.
(Crime No.362 of 2025)

.. Respondent/ Complainant

For Petitioner : Mr.R.Balamuruganantham
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.362 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 16.07.2025 for the offences punishable under Sections 76, 296(b), 115(2), 351(3) of BNS and Section.4 of TNPHW Act and 11(iv) r/w.12 of POCSO Act in Crime No.362 of 2025 on the file of the respondent police, seeks bail.

2. The case of the prosecution is that the complainant is a college student and

she usually travels to college by the college bus and after classes she gets off at



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Anguvilas stop and she goes home. On 15.07.2025, the complainant was returning from college by bus, she saw the petitioner and noticed that he followed her on his bike and instead of getting off at Anguvilas stop, she gets off at Xaviarpalayam, where her friend's house is located and the petitioner followed her there and showed small knife and he said that she escaped today but he will not let her go without killing someday and abused her in filthy language in public place and he forcefully kicked the complainant in the back with his foot and went away on his bike. Hence, the case.

3. The learned counsel for the petitioner would submit that this petitioner and the defacto-complainant loved each other for the past one year and the complainant's parents, who were aware of this, confined her at home and prevented her from attending college. When the petitioner came to know the same, he went there and tried to speak with her and upon knowing of this, to take the revenge for the act of the petitioner, the complainant's parents instigated the complainant to lodge a complaint against him. At the instigation of his parents only, the defacto-complainant lodged a false complaint against this petitioner. This petitioner was falsely implicated in the said case, 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



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further submit that the petitioner is in custody from 16.07.2025, nearly 32 days.

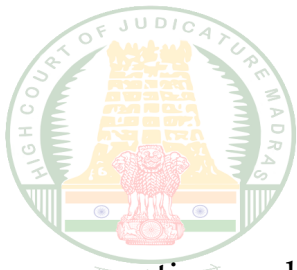
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Hence, he seeks bail.

4. The learned Government Advocate (Criminal Side) would submit that the defacto-complainant is aged about 17 years old. This petitioner followed the victim girl while she was going to college and as she get off from the bus, he threatened her with knife and rudely spoke to her. In this case, Section.183 BNSS statement was recorded from the victim and she denied the allegations levelled against this petitioner. In this case, there is no penetrative sexual assault against the victim. 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 Section 183 of BNSS statement was recorded from the victim, in her statement, she did not say anything about the alleged occurrence, by this time most of the investigation might have been completed, there is no previous case against this petitioner, the petitioner/accused remanded into judicial custody on 16.07.2025, 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 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 Special Court for Exclusive Trial of Cases under POCSO Act, Dindigul, Dindigul District 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 Special Court for Exclusive Trial of Cases under POCSO Act, Dindigul, Dindigul District. If the petitioner changes his residential address, he shall report the same to the learned Special Court for Exclusive Trial of Cases under POCSO Act, Dindigul, Dindigul District;

[c] the petitioner shall appear and sign before the respondent police daily at 10.30 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



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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].

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

sd/-
18/08/2025

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

gvn
TO

- 1.The Judge, Special Court for Exclusive Trial of Cases
under POCSO Act, Dindigul, Dindigul District
- 2.The Superintendent, District Prison, Dindigul, Dindigul District.
- 3.The Inspector of Police,
Town South Police Station,
Dindigul District.
- 4.The Additional Public Prosecutor,
Madurai Bench of Madras High Court, Madurai.

ORDER IN
CRL OP(MD) No.13640 of 2025
Date :18/08/2025

SBN/19.08.2025 5P/5C

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