



CRL OP(MD). No.13788 of 2025

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT
(Criminal Jurisdiction)

Date : 22.08.2025

PRESENT

THE HONOURABLE MR. JUSTICE P. VADAMALAI

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Muniyandi

..Petitioner/ Accused

Vs

State of Tamil Nadu
Rep by the Inspector of Police,
Andipatti Police Station,
Theni District.
(Crime No.239 of 2025)

... Respondent/Complainant

For Petitioner : Mr.K.Saravanan
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.239 of 2025 on the file of the respondent police.

ORDER : The Court made the following order :-

The petitioner / Accused, who was arrested and remanded to judicial custody



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on 04.07.2025 for the offence punishable under Sections 351 of BNS & 11(i), 12 of POCSO Act, in Crime No.239 of 2025 on the file of the respondent police. Hence, he seeks bail.

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2. The case of the prosecution is that on 24.06.2025 at 6.00 p.m., the petitioner made phone call to the victim child demanding her to come to his house. Again the petitioner made phone call to the victim for ten times. When the victim's brother attended the phone call, the petitioner abused the victim girl along with her brother in filthy language. Hence, the complaint.

3. The learned counsel for the petitioner would submit that the petitioner is an innocent person and he has not committed any offence as alleged by the prosecution. He would further submit that there was a love affair between the petitioner and the daughter of the defacto complainant, as a result of which, the defacto complainant along with others had abused the petitioner and attacked him and caused injuries. Thereafter, the petitioner has given a complaint before the respondent police and the same was registered in Crime No.238 of 2025. He would further submit that the petitioner is ready and willing to abide by any conditions that may be imposed by this Court and he is in judicial custody from 04.07.2025.



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Hence, he seeks bail.

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4. The learned Government Advocate (Criminal Side) would submit that the petitioner had harassed the victim girl through phone and abused her in filthy language. He would further submit that there are three previous cases pending against the petitioner and the investigation is almost completed. However, he objected to grant bail to the petitioner.

5. Taking into consideration of the facts and circumstances of the case and also the fact it is a case in counter and the statement under Section 183 BNSS has already been recorded from the victim girl and there is no physical touch on the victim girl and the petitioner was arrested on 04.07.2025 and the investigation has been almost completed and also consideration the period of incarceration suffered 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 Principal Special Court for



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

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[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 mobile number to the Principal Special Court for Exclusive Trial of Cases under POCSO Act, Theni.

(c) If the petitioner changes his residential address, he shall report the same to the Principal Special Court for Exclusive Trial of Cases under POCSO Act, Theni.

[d] the petitioner shall stay at Trichy and report before the Inspector of Police, Cantonment Police Station, daily at 10.00 a.m., and 05.00 p.m., until further orders.

[e] the petitioner shall not abscond either during investigation or trial.

[f] the petitioner shall not tamper with evidence or witness either during investigation or trial.

[g] On breach of any of the aforesaid conditions, the learned Magistrate/Trial Court is entitled to take appropriate action against the



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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].

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

sd/-
22/08/2025

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/08/2025

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

msrm

To

1. The Principal Special Court for
Exclusive Trial of Cases under POCSO Act,
Theni.
2. The Superintendent, District Prison,
Theni.
3. The Inspector of Police,
Andipatti Police Station,
Theni District.

<https://www.hmc.tn.gov.in/judis>



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

Copy to

The Inspector of Police,
Cantonment Police Station, Trichy

+1 CC to M/s.K.SARAVANAN, Advocate (SR-9131[I] dated 25/08/2025)

ORDER

IN

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Date :22/08/2025

PR/25.08.2025 6P/7C

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