

CRL OP(MD). No.14261 of 2025

WEB COPY

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

Date : 28/08/2025

PRESENT

THE HONOURABLE MR. JUSTICE B.PUGALENDHI

CRL OP(MD). No.14261 of 2025

Kovarthanan,
S/o. Malaichamy,
No.3/86,
Kaliammankovil Street,
A.Kudiyiruppu,
Naththam,
Ramanathapuram District.

... Petitioner/ Accused

Vs

The State of Tamil Nadu,
Rep. by Its, the Inspector of Police,
Paralatchi Police Station,
Ramanathapuram District.
Crime No.65 of 2025.

... Respondent/ Complainant

For Petitioner : Mr.Thirumurugan
For Respondent : Mr.B.Thanga Aravindh,
Government Advocate (Crl.Side)
PETITION FOR BAIL Under Sec.483 of BNSS

PRAYER :-

For Bail in Cr.No.65 of 2025 on the file of the Respondent Police.



CRL OP(MD). No.14261 of 2025

ORDER

WEB COPY

The petitioner, who was arrested on 16.07.2025 for the alleged offence punishable under Sections 5(1)(j)(ii) 6 of POCSO Act, in Crime No.65 of 2025, on the file of the respondent police, has filed this petition, seeking bail that he is languishing in jail for the last 40 days.

2.The case of the prosecution is that the petitioner is a bus conductor, in which, the victim girl used to travel. He has induced the victim girl, who aged about 17 ½ years, had a physical relationship and made her pregnant. On the complaint of the mother of the victim girl, the case in Crime No.65 of 2025 has been registered as against him.

3.The learned counsel appearing for the petitioner submits that the petitioner is not aware of the age of the victim girl. Believing that she is more than 18 years, he had love affair with the victim and also had physical relationship, thereby she got pregnant. He further submits that the petitioner is willing to marry the victim girl, however, her parents are against the marriage as the petitioner belongs to scheduled caste community. The petitioner submits that he is prepared to give an affidavit of undertaking before the respondent police that he would marry the victim girl.

4.Mr.B.Thanga Aravindh, learned Government Advocate (Crl.Side), who



CRL OP(MD). No.14261 of 2025

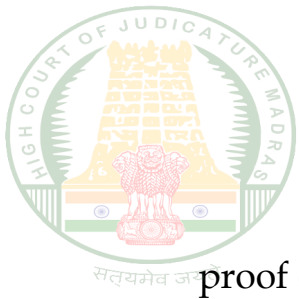
takes notice for the respondent submits that the victim girl was 17 ½ years and this
WEB COPY
petitioner had physical relationship with her and she is now nine months pregnant.

5.This Court considered the rival submissions made and also perused the materials placed on record.

6.The petitioner was arrested on 16.07.2025 in connection with Crime No.65 of 2025, for the offence under Sections 5(1)(j)(ii) 6 of POCSO Act. He claims that he is in jail for the past 40 days. He undertakes before this Court that he would marry the victim girl after she attains major, however, the parents are not willing to perform the marriage of the victim girl with this petitioner, as he is belonging to the scheduled caste community. Considering the undertaking given by the petitioner, this Court is inclined to allow this petition.

7. Accordingly, this Criminal Original Petition is ordered and the petitioner is ordered to be released on bail on the following conditions:-

- i) The petitioner shall execute a bond for a sum of Rs.10,000/- (Rupees Ten Thousand) with two sureties each for a like sum to the satisfaction of the learned Sessions judge, Principal Special Court for Exclusive trial of Cases under POCSO Act, Virudhunagar.
- ii) The petitioner and the sureties shall submit a copy of their Aadhaar Card or any other identity card issued by the Government in



CRL OP(MD). No.14261 of 2025

WEB COPY

proof of their residence address;

iii) The petitioner shall report before the trial Court daily at 10.30 a.m, until further orders.

iv) The petitioner shall file an affidavit of undertaking before the respondent police as well as before the trial Court that he would marry the victim girl after she attains major.

iv) The petitioner shall not misuse the liberty granted to him by indulging in any further offence and shall not tamper with the prosecution witnesses. The petitioner shall be available for the trial as well.s

v) On violation of any of the above conditions by the petitioner, the respondent police shall move an application for cancellation of the bail.

sd/-
28/08/2025

/ TRUE COPY /

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

VRN
TO
1.The Sessions Judge, Principal Special Court
For Exclusive trial of Cases under POCSO Act,



CRL OP(MD). No.14261 of 2025

Virudhunagar.

WEB COPY

2.The Officer In-charge, District Jail, Virudhunagar.

3.The Inspector of Police,
Paralatchi Police Station,
Ramanathapuram District.

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

+1 CC to M/s.T.THIRUMURUGAN, Advocate (SR-9303[I] dated 28/08/2025)

ORDER
IN

CRL OP(MD) No.14261 of 2025

Date :28/08/2025

HPS/29.08.2025 5P/6C

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