



CRL OP(MD)No.14566 of 2025

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

Date : 04.09.2025

PRESENT

THE HONOURABLE MRS. JUSTICE S.SRIMATHY

CRL OP(MD)No.14566 of 2025

M.Udhayakumar

... Petitioner/ Accused No.1

Vs

**The State of Tamilnadu,
Rep by the Inspector of Police,
Vadipatti Police Station,
Madurai District.
(Crime No.357 of 2024)**

... Respondent/ Complainant

For Petitioner : Mr.R.Mathiyalagan

**For Respondent : Mr.E.Antony Sahaya Prabahar
Additional Public Prosecutor**

PETITION FOR BAIL Under Sec.483 of BNSS

PRAYER :- For Bail in Crime No.357 of 2024 on the file of the respondent police.

ORDER : The Court made the following order :-

The petitioner, who was arrested and remanded to judicial custody on
<https://www.mhc.tn.gov.in/judis>



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11.12.2024 for the offences punishable under Sections 87 of BNS & 5(1), 5(k), 5(m), 5(g) r/w. 6 of POCSO Act, altered into Section 84 of BNS & 5(1), 5(k), 5(m), 5(g), r/w. 6 of POCSO Act r/w. 3(1)(w)(ii) SC/ST POA Act, in Crime No.357 of 2024 on the file of the respondent police, seeks bail.

2. The case of the prosecution is that the petitioner along with other accused person kidnapped the second daughter of the defacto complainant and committed penetrative sexual assault on her. Hence, the complaint.

3. The learned counsel for the petitioner submitted that the petitioner is an innocent person and he has not committed any offences as alleged by the prosecution. He further submitted that the petitioner is in judicial custody from 11.12.2024. Hence, he seeks bail to the petitioner.

4. The learned Additional Public Prosecutor submitted that the investigation is completed and the charge sheet has been filed.

5. Taking into consideration of the facts and circumstances of the case and also considering the period of incarceration suffered by the petitioner, this Court is



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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.10,000/- (Rupees Ten Thousand only) with two sureties, each for a like sum to the satisfaction of the learned Sessions Judge Special Court for the Exclusive Trial of POCSO Act Cases, Madurai, and on further conditions that :-

[a] the petitioner and the sureties shall affix their photographs and left thumb impression in the surety bond and the Magistrate may obtain a copy of their Aadhaar card or bank pass book to ensure their identity.

[b] the petitioner shall stay at Salem and report before the Inspector of Police, Salem Town Police Station, daily at 10.30 a.m., until further orders. He has to co-operate for the investigation.

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

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

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



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the petitioner in accordance with law as if the conditions have been imposed and the petitioner is 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].

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

sd/-
04/09/2025

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04 /09/2025
Sub-Assistant Registrar
(PA. I)
Madurai Bench of Madras High Court,
Madurai - 625 023.

jbr

TO

- 1 The Learned Sessions Judge Special Court
For the Exclusive Trial of Pocso Act Cases,
Madurai.
- 2 The Superintendent, Central Prison,
Trichy.
- 3 The Inspector of Police,
Vadipatti Police Station,
Madurai District.
- 4 The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.

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ORDER
IN
CRL OP(MD) No.14566 of 2025
Date :04/09/2025

NM/04.09.2025/ 5P/5C

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