

CRL OP(MD)No.14716 of 2025

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 08.09.2025

PRESENT

THE HONOURABLE MRS. JUSTICE S.SRIMATHY

CRL OP(MD)No.14716 of 2025

Rajkumar

... Petitioner/ Accused No.2

Vs

The State of Tamilnadu,
Rep by the Inspector of Police,
All Women Police Station,
Thallakulam,
Madurai City.
(Crime No.04 of 2025)

... Respondent/Complainant

For Petitioner : Mr.D.Kathikraja

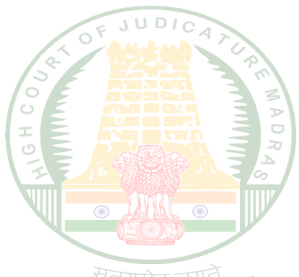
For Respondent : Mr.E.Antony Sahaya Prabahar
Additional Public Prosecutor

PETITION FOR BAIL Under Sec.483 of BNSS

PRAYER :- For Bail in Crime No.04 of 2025 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 23.02.2025 for the offences punishable under Sections 11(1), 12, 17 of POCSO Act and 115(2), 351(2) of BNS, 2023, in Crime No.04 of 2025 on the file of the respondent police, seeks bail.



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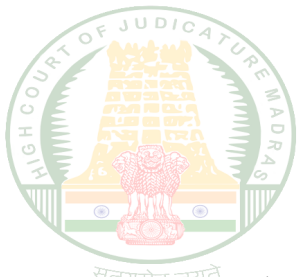
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2. The case of the prosecution is that the two victim girls are aged about 14 years and 15 years respectively. On 22.02.2025, at about 11.00 a.m, defacto complainant's daughter visited her friend's house in Anayur. While they were returning home around 03.30 p.m., A-1 drove an auto rikshaw bearing Registration No.TN 59 BF 3953 followed them and gestured them to get into the auto, they refused. After, some time, A-1 brought second petitioner and knocked on the door and the second petitioner said that A-1 likes the victim girl. The same was informed by the victim girls to the defacto complainant. The defacto complainant and her family friend namely Jayapraksh, and the children found the petitioner's place and they questioned the petitioner. Due to which, there was scuffle between them/ At that time, the petitioner pushed the said Jayaprakash and sustained injury on his left leg. 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 23.02.2025. Hence, he seeks bail to the petitioner.

4. The learned Additional Public Prosecutor submitted that if the petitioner is released on bail, he may cause a threat to the defacto complainant and victim girls.

Therefore, he opposed for grant of bail to the petitioner.



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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 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.10,000/- (Rupees Ten Thousand only) with two sureties, each for a like sum to the satisfaction of the learned Special Court for Exclusive Trial Cases under POCSO Act, 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 report before the respondent police 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 the



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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/-
08/09/2025

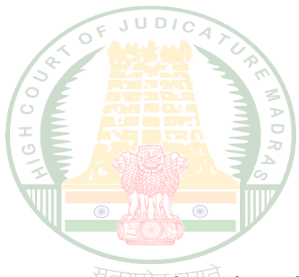
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08/09/2025
Sub-Assistant Registrar
Madurai Bench of Madras High Court,
Madurai - 625 023.

jbr
TO

- 1.The Special Judge For Exclusive Trial Cases Under Pocso Act, Madurai.
2. The Superintendent, Central Prison, Madurai.
3. The Inspector of Police, All Women Police Station, Thallakulam, Madurai City.
4. The Additional Public Prosecutor, Madurai Bench of Madras High Court, Madurai.

ORDER
IN
CRL OP(MD) No.14716 of 2025
Date :08/09/2025



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