



CRL OP(MD). No.15426 of 2025

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 26.09.2025

PRESENT

THE HONOURABLE MRS. JUSTICE S.SRIMATHY

CRL OP(MD).No.15426 of 2025

Balamurugan

..Petitioner/ Accused

Vs

**The State of Tamilnadu
Rep.by the Inspector of Police,
Thallakulam All Women Police Station,
Madurai City.
(Crime No.40 of 2016)**

.. Respondent/Complainant

For Petitioner : Mr.S.Srikanth

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

PETITION FOR BAIL Under Sec.483 of BNSS

PRAYER :- For Bail in Spl.S.C.No.38 of 2017 on the file of the learned Principal Special Court for Exclusive Trial of Cases under POCSO Act, Madurai in connection with Crime No.40 of 2016 on the file of the respondent police.



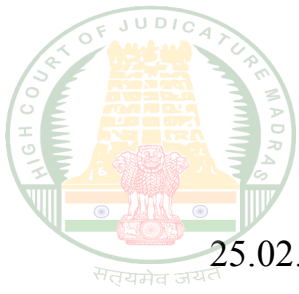
CRL OP(MD). No.15426 of 2025

WEB COPY

ORDER : This Court made the following order :-

The petitioner / Accused, who was arrested and remanded to judicial custody on 25.02.2025 for the offences punishable under Sections 5(l) r/w 6 of POCSO Act, in Spl.S.C.No.38 of 2017 on the file of the learned Principal Special Court for Exclusive Trial of Cases under POCSO Act, Madurai in connection with Crime No.40 of 2016 on the file of the respondent police, seeks bail.

2. The learned counsel for the petitioner submitted that after the registration of the case in Crime No.40 of 2016 and the respondent police have completed the investigation and filed a charge sheet in Spl.S.C.No. 38 of 2017, before the learned Principal Special Court for Exclusive Trial of Cases under POCSO Act, Madurai. He further submitted that due to non-appearance of the petitioner, the trial Court has issued NBW against the petitioner and the same was executed on 25.02.2025. He further submitted that the petitioner undertakes that he will not abscond and he will regularly appear before the Trial Court on hearing dates without fail. He further submitted that the petitioner is in judicial custody from



CRL OP(MD). No.15426 of 2025

25.02.2025. Hence, he seeks bail.

WEB COPY

3. The learned Additional Public Prosecutor submitted that the petitioner failed to appear before the trial Court, due to which the trial Court had issued Non Bailable Warrant to the petitioner.

4. Taking into consideration of the facts and circumstances of the case and also the fact that all the witnesses were examined and the Investigating Officer is yet to be examined and also considering the undertaking given by the learned Counsel for the petitioner 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:

5. 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 Principal Special Court for Exclusive Trial of Cases under POCSO Act, Madurai, and on further conditions that :-



WEB COPY



CRL OP(MD). No.15426 of 2025

[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 appear before the trial Court daily at 10.30 a.m., and 05.30 p.m., until further orders.

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

[d] the petitioner shall not tamper with evidence or witness 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 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].



CRL OP(MD). No.15426 of 2025

[f] If the accused thereafter absconds, a fresh FIR can

WEB COPY be registered under Section 269 BNS.

(S S Y J)
26.09.2025

msrm

To

1. The learned Principal Special Court for Exclusive Trial of Cases under POCSO Act, Madurai
2. The Superintended, District Jail, Madurai.
3. The Inspector of Police, Thallakulam All Women Police Station, Madurai City.
4. The Additional Public Prosecutor, Madurai Bench of Madras High Court, Madurai.



WEB COPY



CRL OP(MD). No.15426 of 2025

S.SRIMATHY,J.

msrm

ORDER
IN
CRL OP(MD) No.15426 of 2025

Dated : 26.09.2025