



CRL OP(MD). No.16098 of 2025

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 26.11.2025

PRESENT

THE HONOURABLE MRS. JUSTICE S.SRIMATHY

CRL OP(MD)No.16098 of 2025

Rajendran

... Petitioner/Accused

Vs

The State of Tamilnadu,
Rep by the Inspector of Police,
Sendhamaram Police Station,
Tenkasi District.
(Crime No.96 of 2024)

... Respondent/Complainant

For Petitioner : Mr.D.Venkatesh

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

PETITION FOR BAIL Under Sec.483 of BNSS

PRAYER :- For Bail in Crime No.96 of 2024 on the file of the respondent police.



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ORDER : The Court made the following order :-

The petitioner, who was arrested and remanded to judicial custody on 12.03.2024 for the offences punishable under Sections 6, 5(1), 5(n), 7 & 8 of POCSO Act and 506(i) of IPC, in Crime No.96 of 2024 on the file of the respondent police, seeks bail.

2. The case of the prosecution is that, when the victim girl was alone, the petitioner misbehaved with her. Thereafter, in the year 2018, she was taken to an agricultural field and subjected to aggravated penetrative sexual assault. On 10.03.2024, the petitioner allegedly misbehaved with her younger sister as well. 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 12.03.2024. Hence, he seeks bail to the petitioner.



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4. The learned Additional Public Prosecutor submitted that twwhen the victim girl was alone, the petitioner misbehaved with her. Thereafter, in the year 2018, she was taken to an agricultural field and subjected to aggravated penetrative sexual assault. On 10.03.2024, the petitioner allegedly misbehaved with her younger sister as well. Therefore, he opposed for grant of bail to the petitioner.

5. The petitioner was arrested on 12.03.2024 and has been in judicial custody for several months. The trial is in progress, and there are two victims. The second victim has turned hostile and has stated that no such occurrence took place. Considering the above facts 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 Principal Sessions Judge, Tenkasi, and on further conditions that :-



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[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 trial Court daily at 10.30 a.m., until further orders.

[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 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].



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

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(S S Y J)
26.11.2025

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To

1. The Principal Sessions Judge, Tenkasi.
2. The Superintendent, Central Prison,
Palayamkottai.
3. The Inspector of Police,
Sendhamaram Police Station,
Tenkasi District.
4. The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.



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S.SRIMATHY,J.

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ORDER
IN
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