



CRL OP(MD). No.16507 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.16507 of 2025

M.Guna

... Petitioner/ Sole Accused

Vs

The State of Tamilnadu,
Rep by the Inspector of Police,
Mamsapuram District,
Virudhunagar District.
(Crime No.106 of 2025)

... Respondent/Complainant

For Petitioner : Mr.R.Jagadeeshwaran

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

PETITION FOR BAIL Under Sec.483 of BNSS

PRAYER :- For Bail in Crime No.106 of 2025 on the file of the respondent police.



CRL OP(MD). No.16507 of 2025

WEB COPY

ORDER : The Court made the following order :-

The petitioner, who was arrested and remanded to judicial custody on 20.06.2025 for the offences punishable under Sections 5(1), r/w. 6 of POCSO Act, 2012 and Section 9 of Child Marriage Act, in Crime No.106 of 2025 on the file of the respondent police, seeks bail.

2. The case of the prosecution is that the petitioner married the victim girl at Perambalur Mariamma Temple. Susequently, on 18.06.2025, the petitioner is said to have left the victim girl at Srivilliputhur Bus Stand. 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 20.06.2025. Hence, he seeks bail to the petitioner.

4. The learned Additional Public Prosecutor submitted that the



CRL OP(MD). No.16507 of 2025

investigation has been completed and the charge sheet has been filed.

WEB COPY

5. Taking into consideration the fact that the charge sheet has been file, that the statement of Section 164 of Cr.P.C does not support the prosecution 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 of Cases under POCSO Act, 2012, Srivilliputhur, Virudhunagar District, 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 as and when required for interrogation. He has to



WEB COPY



CRL OP(MD). No.16507 of 2025

co-operate for the investigation.

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

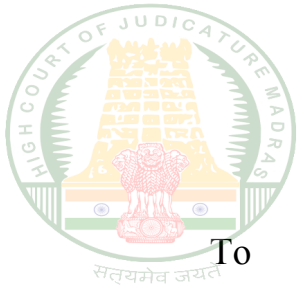
[d] the petitioner shall not abscond either during investigation or trial.

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

(S S Y J)
26.09.2025

jbr



CRL OP(MD). No.16507 of 2025

To

WEB COPY

1. The Special Court for Exclusive Trial of Cases
POCSO Act, 2012,
Srivilliputhur, Virudhunagar District
2. The Superintendent, District Prison,
Virudhunagar.
3. The Inspector of Police,
Mamsapuram District,
Virudhunagar District.
4. The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.



WEB COPY



CRL OP(MD). No.16507 of 2025

S.SRIMATHY,J.

jbr

ORDER
IN
CRL OP(MD) No.16507 of 2025

Date : 26.09.2025