



CRL OP(MD). No.16607 of 2025

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

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(Criminal Jurisdiction)

Date : 26.09.2025

PRESENT

THE HONOURABLE MRS. JUSTICE S.SRIMATHY

CRL OP(MD)No.16607 of 2025

Chinnaiya

... Petitioner/Accused

Vs

The State of Tamilnadu,
Rep by the Inspector of Police,
Thiruppathur All Women Police Station,
Sivagangai District.
(Crime No.11 of 2025)

... 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 Crime No.11 of 2025 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 23.04.2025 for the offences punishable under Sections 5(k), 5(1), 5(j)(ii) r/w. Section 6 of POCSO Act, 2012, in Crime No.11 of 2025 on the file of the respondent police, seeks bail.

2. The prosecution alleges that the petitioner committed penetrative sexual assault on the victim, a mentally challenged minor girl aged about 15 years at the time of the incident, which resulted in her pregnancy. 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 23.04.2025. Hence, he seeks bail to the petitioner.

4. The learned Additional Public Prosecutor submitted that the



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

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5. Taking into considerations the fact that the charge sheet has been filed 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 POCSO Act Cases, Sivagangai, 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 Trial Court daily at 10.30 a.m and 05.30 p.m., until further orders. He has to co-operate for the investigation.



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

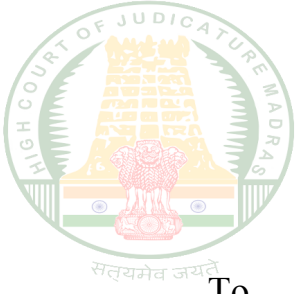
[d] the petitioner shall not abscond either during investigation or trial.

[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



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To
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1. The Special Court for Exclusive Trial of
POCSO Act Cases, Sivagangai,
2. The Superintendent, Central Prison,
Madurai.
3. The Inspector of Police,
Thiruppathur All Women Police Station,
Sivagangai District.
4. The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.



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S.SRIMATHY,J.

jbr

ORDER
IN
CRL OP(MD) No.16607 of 2025

Date : 26.09.2025