



CRL OP(MD). No.17546 of 2025

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 12.11.2025

PRESENT

THE HONOURABLE MRS. JUSTICE S.SRIMATHY

CRL OP(MD). No.17546 of 2025

Athikari @ Kumar

... Petitioner/Sole Accused

Vs

The State Represented through
The Sub Inspector of Police,
Thallakulam Police Station,
Madurai District.
(Crime No.36 of 2024)

... Respondent/Complainant

For Petitioner : Mr.S.M.A.Jinnah
Advocate.

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

PETITION FOR BAIL Under Sec.483 of BNSS

PRAYER :- For Bail in Crime No.36 of 2024 on the file of the
Respondent Police.



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ORDER : The Court made the following order :-

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The petitioner, who was arrested and remanded to judicial custody on 11.07.2024 for the offences punishable under Sections 96 of BNS and 3(a) r/w.4(2) of POCSO Act, in Crime No.36 of 2024 on the file of the respondent police, seeks bail.

2. The case of the prosecution is that the petitioner/accused kidnapped the victim girl and he had committed penetrative sexual assault on her. 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 due to previous enmity, a false case has been given. He further submitted that the petitioner is ready and willing to abide by any conditions which may be imposed by this Court and he is in judicial custody from 11.07.2024. Hence, he seeks bail to the petitioner.



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4. The learned Additional Public Prosecutor submitted that the investigation has been completed and the charge sheet has been filed. He further submitted that the petitioner has involved in a serious offence. Hence, he opposed to grant bail to the petitioner.

5. Considering the facts and circumstances of the case and also the fact that 161 statement reveals that the petitioner has been involved in a very serious offence and considering the nature of offence and also the considering the fact that if the petitioner is released on bail, he may tamper the witness and intimidate the defacto complainant, this Court is not inclined to grant bail to the petitioner.

6. Accordingly, this Criminal Original Petition stands dismissed.

(S S Y J)
12.11.2025

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To
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1. The Special Court for POCSO Act Cases,
Madurai.
2. The Sub Inspector of Police,
Thallakulam Police Station,
Madurai District.
3. The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.



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S.SRIMATHY,J.

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ORDER
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