



CRL OP(MD). No.17746 of 2025

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

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(Criminal Jurisdiction)

Date : 15.10.2025

PRESENT

THE HONOURABLE MRS. JUSTICE S.SRIMATHY

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Devabalan

... Petitioner/ Sole Accused

Vs

The State of Tamilnadu,
Rep by the Inspector of Police,
All Women Police Station,
Rajapalayam,
Virudhunagar District.
(Crime No.44 of 2025)

... Respondent/Complainant

For Petitioner : Mr.M.Jothi Basu

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

PETITION FOR BAIL Under Sec.483 of BNSS

PRAYER :- For Bail in Crime No.44 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 02.10.2025 for the offences punishable under Sections 351(2) of BNS Act, 2023 and 11(4) r/w 12 of Protection of Child from Sexual Offences Act, 2012 r/w 67(A) of the Information Technology Act, 2000, Crime No.44 of 2025 on the file of the respondent police, seeks bail.

2. The case of the prosecution is that the defacto complainant is studying in 12th standard. It is alleged that the petitioner compelled the victim girl to love him and followed her to school and tuition and also followed in the Instagram and Whatsapp. Further the petitioner had recorded the messages sent by the victim girl through Instagram and made compulsion to the victim girl. When her father questioned, the petitioner threatened the father of the defacto complainant by sending whatsapp message. Hence, the complaint.

3. The learned counsel for the petitioner submitted that the petitioner is an innocent person and he has not committed any offence as



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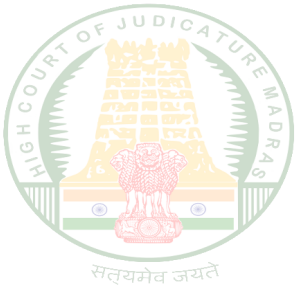
alleged by the prosecution. He further submitted that the petitioner is in judicial custody from 02.10.2025. Hence, he seeks bail to the petitioner.

4. The learned Additional Public Prosecutor submitted that the petitioner has no previous cases. However, he opposed for grant of bail to the petitioner.

5. Taking into consideration of the facts and circumstances of the case and 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) each with two sureties, each for a like sum to the satisfaction of the learned Sessions Judge, Special Court for POCSO Act Cases, 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



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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 respondent police daily at 10.30 a.m., until further orders;

[c] the petitioner shall not follow the victim girl hereafter and shall not intimidate her and contact her at any cost. Further, the petitioner shall not post any photos or videos in social media regarding the victim girl;

[d]the petitioner shall not tamper with the evidence or witness either during investigation or trial;

[e] the petitioner shall not abscond either during investigation or trial;

[f] On breach of any of the aforesaid conditions, the learned Magistrate/Trial Court is entitled to take



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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];

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

15.10.2025

PJL

To

1. Sessions Judge, Special Court for POCSO Act Cases,
Virudhunagar District.

2. The Superintendent,
District Prison, Virudhuangar.

3. The Inspector of Police,
All Women Police Station,
Rajapalayam, Virudhunagar District.

4. The Additional Public Prosecutor,
Madurai Bench of Madras High Court, Madurai.

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S.SRIMATHY,J.

PJL

ORDER
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