

CRL OP(MD). No.17763 of 2025

WEB COPY

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 15.10.2025

PRESENT

THE HONOURABLE MRS. JUSTICE S.SRIMATHY

CRL OP(MD)No.17763 of 2025

Prakash @ S.Thiyagarajan

... Petitioner/Accused

Vs

The State of Tamilnadu,
Rep by the Inspector of Police,
All Women Police Station,
Alangulam, Tenkasi District.
(Crime No.33 of 2025)

... Respondent/Complainant

For Petitioner : Ms.M.Shunmalar

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

PETITION FOR BAIL Under Sec.483 of BNSS

PRAYER :- For Bail in Crime No.33 of 2025 on the file of the respondent police.



CRL OP(MD). No.17763 of 2025

WEB COPY

ORDER : The Court made the following order :-

The petitioner, who was arrested and remanded to judicial custody on 31.08.2025 for the offences punishable under Sections 3(a) and 4 of the Protection of Children from Sexual Offences Act, 2012, in Crime No. 33 of 2025 on the file of the respondent police, seeks bail.

2. The case of the prosecution is that the petitioner who is a minibus driver got acquainted with the victim girl, who was working in a Sawmil shop at Pavoorchathiram, and alleged to have committed penetrative sexual assault upon her when the shop owner was away. 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 alleged by the prosecution. He further submitted that the petitioner is in judicial custody from 31.08.2025. Hence, he seeks bail to the petitioner.



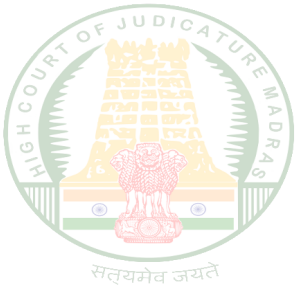
CRL OP(MD). No.17763 of 2025

4. The learned Additional Public Prosecutor submitted that the petitioner has no previous cases. He further submitted that the victim girl is 14 years old. In this case, charge sheet filed and 164 Cr.P.C statement also recorded. It reveals that there was an attempt to affect the modesty of the victim. However, he opposed for grant of bail to the petitioner.

5. Taking into consideration of the facts and circumstances of the case and the 164 Cr.P.C statement stated that an attempt to affect the modesty of the victim was made by the petitioner and considering the period of incarceration suffered by the petitioner, this Court is inclined to grant bail to the petitioner, subject to the some stringent 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 Principal District & Sessions Judge, Tenkasi, and on further conditions that :-

[a] the petitioner and the sureties shall affix their photographs and left thumb impression in the surety bond



WEB COPY



CRL OP(MD). No.17763 of 2025

and the Magistrate may obtain a copy of their Aadhaar card or bank pass book to ensure their identity;

[b] the petitioner shall stay at Madurai and shall report before Inspector of Police, Thallakulam Police Station, Madurai, 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



CRL OP(MD). No.17763 of 2025

WEB COPY

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.

15.10.2025

PJL

To

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



WEB COPY



CRL OP(MD). No.17763 of 2025

S.SRIMATHY,J.

PJL

ORDER
IN
CRL OP(MD) No.17763 of 2025

Date : 15.10.2025