



CRL OP(MD). No.18484 of 2025

**BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT
(Criminal Jurisdiction)**

WEB COPY

Date : 17.11.2025

PRESENT
THE HONOURABLE MRS. JUSTICE S.SRIMATHY

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Alagumalaikannan

... Petitioner/ Sole Accused

Vs

The State of Tamilnadu,
Rep by the Inspector of Police,
Nagaiyapuram Police Station,
Madurai District.
(Crime No.21 of 2023)

... Respondent/Complainant

For Petitioner : Mr.N.anantha Padmanabhan
Senior Counsel for M/s.APN Law Associates
For Respondent : Mr.E.Antony Sahaya Prabahar
Additional Public Prosecutor

PETITION FOR BAIL Under Sec.483 of BNSS

PRAYER:- For Bail in Crime No.21 of 2023 on the file of the respondent police.

ORDER : The Court made the following order :-

The petitioner, who was arrested and remanded to judicial custody on 26.06.2023 for the offences punishable under Sections 3(a), 4, 5(m) and 6 of the POCSO Act, 2012 and Section 506(i) of IPC, in Crime No. 21 of 2023 on the file of the respondent police, seeks bail.



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2. The case of the prosecution is that while the victim girl went to collect firewood, it is alleged that the petitioner had sexually assaulted the victim girl. 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 26.06.2023. Hence, he seeks bail to the petitioner.

4. The learned Additional Public Prosecutor submitted that the victim girl was 10 years old at the time of occurrence and PW1 to PW7 was enquired and they have deposed and cross-examination is over. However, he opposed for grant of bail to the petitioner.

5. Taking into consideration of the facts and circumstances of the case and since the PW1 to PW7 deposition is over, 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:



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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 Cases under POCSO Act, Madurai, 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 not intimidate any witness, especially, the victim girl and he shall not visit the house of the victim girl and shall not enter into the street or school of the victim girl;

[c] the petitioner shall report before the respondent police daily at 10.30 a.m, until further orders;

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



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[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 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.

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To

1. The Sessions Judge,
Special Court for Cases under POCSO Act, Madurai.
2. The Superintendent, Central Prison, Madurai.
3. The Inspector of Police,
Courtallam Police Station, Tenkasi District.
4. The Additional Public Prosecutor,
Madurai Bench of Madras High Court, Madurai.

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