



CRL OP(MD). No.18896 of 2025

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 20/11/2025

PRESENT

The HONOURABLE MRS. JUSTICE S.SRIMATHY

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Kathir @ Anbalagan

... Petitioner/Sole Accused

Vs

State of Tamilnadu Rep by,
The Inspector of Police,
All Women Police Station,
Orathanadu, Thanjavur District.
Crime No.25 of 2025

... Respondent/Complainant

For Petitioner : Mr.G.Karnan

For Respondent : Mr.E.Antony Sahaya Prabahar,
Government Advocate (Crl.Side)



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PETITION FOR BAIL Under Sec.483 of BNSS

PRAYER :-

For Bail in Crime No.25 of 2025 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 25.10.2025 for the offences punishable under Sections 5(1), 5(J) (ii), 6(1) of POCSO Act and Section 87 of BNS, Act, 2023, in Crime No.25 of 2025 on the file of the respondent police, seeks bail.

2. The case of the prosecution is that the petitioner by giving a false promise to marry the victim, had sexual intercourse with her. Thereafter, he refused to marry 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 the petitioner is in judicial custody from 25.10.2025. Hence, he seeks bail to the petitioner.



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4. The learned Additional Public Prosecutor submitted that the victim girl is 16 years old and that the petitioner by giving a false promise to marry the victim, had sexual intercourse with her. Thereafter, he refused to marry her. Therefore, he opposed the grant of bail to the petitioner.

5. According to the petitioner, the victim girl is 16 years old and after arrest of the petitioner, the victim has confessed that apart from the petitioner, there are three more persons who sexually assaulted her. However, the petitioner has not committed any offence, it is the other persons, who committed the offence.

6. Taking into consideration of the facts and circumstances of the case 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:

7. Accordingly, the petitioner is ordered to be released on bail on



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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 Principal Special Court for Exclusive Trial of Cases under POCSO Act, Thanjavur, 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 stay at Thanjavur and report before the Inspector of Police, Thanjavur Town East Police Station, Thanjavur, daily at 10.30 a.m., until further orders. The petitioner is debarred from entering Orathanadu.

[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



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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)
20.11.2025

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TO

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



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S.SRIMATHY,J

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ORDER
IN
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