



CRL OP(MD). No.19243 of 2025

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 03.11.2025

PRESENT

THE HONOURABLE MRS. JUSTICE S.SRIMATHY

CRL OP(MD). No.19243 of 2025

Rahumankhan

... Petitioner/Accused

Vs

The State of Tamil Nadu,
Rep By, The Inspector of Police,
All Women Police Station (Aundipatti),
Aundipatti,
Theni District.
(Crime No.33 of 2025)

... Respondent/Complainant

For Petitioner : Mr.D.Malaichamy
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.33 of 2025 on the file of the
respondent police.



CRL OP(MD). No.19243 of 2025

ORDER : The Court made the following order :-

The petitioner, who was arrested and remanded to judicial custody on 27.09.2025 for the offences punishable under Sections 5(1), 5(n), 5(j) (ii) and 6 of POCSO Act, 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 had sexual intercourse with the victim, who is a minor girl, due to which she became pregnant. 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 and the victim girl fell in love and that both are relatives. 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 27.09.2025. Hence, he seeks bail to the petitioner.



CRL OP(MD). No.19243 of 2025

4. The learned Additional Public Prosecutor submitted that there is no previous case pending against the petitioner. However, he opposed for grant of bail to the petitioner.

5. Taking into consideration of the facts and circumstances of the case and also the fact that 164 statement has been recorded from the victim girl, it reveals that it is love affair, now both of them married themselves at home and the investigation has been completed and also consideration 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) with two sureties, each for a like sum to the satisfaction of the Principal Special Court for Exclusive Trial of cases under POCSO Act, Theni, and on further conditions that :-

[a] the sureties shall affix their photographs and Left Thumb Impression in the surety bond and the Magistrate may obtain a copy of their Aadhar card or Bank pass Book



CRL OP(MD). No.19243 of 2025

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to ensure their identity.

[b] the petitioner shall appear before the respondent police as and when required for interrogation..

[c] the petitioner shall not abscond either during investigation or trial.

[d] the petitioner shall not tamper with evidence or witness 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 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)
03.11.2025

msrm



CRL OP(MD). No.19243 of 2025

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To

1. The Principal Special Court for Exclusive Trial of cases
under POCSO Act,
Theni.
2. The Superintendent, District Prison,
Thekkampatti, Theni.
3. The Inspector of Police,
All Women Police Station (Aundipatti),
Aundipatti,
Theni District.
4. The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.



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CRL OP(MD). No.19243 of 2025

S.SRIMATHY,J.

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ORDER
IN
CRL OP(MD) No.19243 of 2025

Date :03.11.2025