



CRL OP(MD). No.19656 of 2025

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 07/11/2025

PRESENT

THE HONOURABLE MRS.JUSTICE S.SRIMATHY

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Rathinaeswaran

S/o.Kasimayan

..Petitioner/Sole accused

Vs

The State of Tamil Nadu rep.by

The Inspector of Police, All Women Police Station,

Periyakulam, Theni District.

(Cr.No.26 of 2025)

.. Respondent/Complainant

For petitioner : Mr.T.Leninkumar

For Respondent : Mr.E.Antony Sahaya Prabahar

Additional Public Prosecutor

PETITION FOR BAIL Under Sec.483 of BNSS

PRAYER :- For Bail in Crime No.26 of 2025 on the file of the Respondent Police.



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ORDER : This Court made the following order :-

The petitioner, who was arrested and remanded to judicial custody on 28.09.2025 for the offences punishable under Sections 11(4) and 12 of the Protection of Child from Sexual Offences Act, 2012 and Section 4 of the Tamil Nadu prohibition of Women Harassment Act, 2002 in Cr.No.26 of 2025 on the file of the respondent police, seeks bail.

2. The case of the prosecution is that on 27.09.2025, one Ambika lodged a complaint before the respondent police alleging that her daughter, who is studying in the 10th standard at a nearby school, was approached by the petitioner. It is alleged that the petitioner jumped over the compound wall and attempted to talk to her. On notice, the petitioner allegedly fled from the scene. Hence, this case.

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 would further submit that the petitioner is in custody from 28.09.2025. Hence, he seeks bail.



4.The learned Additional Public Prosecutor submitted that one Ambika lodged a complaint before the respondent police alleging that her daughter, who is studying in the 10th standard at a nearby school, was approached by the petitioner. It is alleged that the petitioner jumped over the compound wall and attempted to talk to her. On notice, the petitioner allegedly fled from the scene. However, he opposed for grant of bail to the petitioner.

5. Taking into consideration of the facts and circumstances of the case and also considering the nature of offences and the period of incarceration, 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 to ensure their identity.



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[b] The petitioner shall furnish his residential address and mobile number to the Principal Special Court for Exclusive Trial of cases under POCSO Act, Theni.

[c] If the petitioner changes his residential address, he shall report the same to the Principal Special Court for Exclusive Trial of cases under POCSO Act, Theni.

[d] the petitioner shall stay at Madurai and report before the Inspector of Police, Tallakulam Police Station, Madurai, daily at 10.30 a.m. until further orders. The petitioner shall not intimidate the victim and her family members and the petitioner shall not enter into the street, house and school of the victim.

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

[f] the petitioner shall not tamper with evidence or witness either during investigation or trial.

[g] 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].



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

(S S Y J)
07.11.2025

RJR

TO

- 1.The Principal Special Court for Exclusive Trial of cases under POCSO Act, Theni.
- 2.The Superintendent, Sub Jail, Periyakulam.
- 3.The Inspector of Police, All Women Police Station, Periyakulam, Theni District.
- 4.The Inspector of Police, Tallkulam Police Station, Madurai.
- 5.The Additional Public Prosecutor, Madurai Bench of Madras High Court, Madurai.



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S.SRIMATHY, J.,

RJR

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