



CRL OP(MD). No.20434 of 2025

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

WEB COPY

Date : 18.11.2025

PRESENT
THE HONOURABLE MRS. JUSTICE S.SRIMATHY

CRL OP(MD)No.20434 of 2025

Esakkiraja

... Petitioner/ Sole Accused

Vs

The State of Tamilnadu,
Rep by the Inspector of Police,
All Women Police Station,
Pudukkottai, Thoothukudi District.
(Crime No.21 of 2025)

... Respondent/Complainant

For Petitioner : Mr.S.Muniyandi

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 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 17.09.2025 for the offences punishable under Sections 5(l), 5(j)(ii), 6 of the Protection of Child from Sexual Offences Act, 2012 and under Section 94 of BNS, in Crime No.21 of 2025 on the file of the respondent police, seeks bail.



CRL OP(MD). No.20434 of 2025

2. The case of the prosecution is that the petitioner had sexual relationship with the victim on the false promise of marriage and thereby the defacto complainant become pregnant and begot still born baby and the child was died. 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 17.09.2025. Hence, he seeks bail to the petitioner.

4. The learned Additional Public Prosecutor submitted that the petitioner is 19 years old and the victim girl is 17 years old and it is a case of love affair. Further the allegation against the petitioner is that the victim girl begot a child and the same was concealed by both of the victim as well as the petitioner. Hence, he opposed for grant of bail to the petitioner.

5. Taking into consideration of the facts and circumstances of the case and the nature of offence and since the 164 statement not supported



CRL OP(MD). No.20434 of 2025

the case of the prosecution 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:

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 Exclusive trial of Cases under POCSO Act, Thoothukudi, 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 report before the respondent as and when required;

[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;



WEB COPY



CRL OP(MD). No.20434 of 2025

S.SRIMATHY,J.

PJL

[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 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.

18.11.2025

PJL

To

1. The Sessions Judge,
Special Court for Exclusive trial of Cases under POCSO Act,
Thoothukudi.
2. The Superintendent,
District Prison, Perurani, Thoothukudi District.
3. The Inspector of Police,
All Women Police Station, Pudukkottai, Thoothukudi District.
4. The Additional Public Prosecutor,
Madurai Bench of Madras High Court, Madurai.

CRL OP(MD) No.20434 of 2025