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CRL OP(MD) NO. 20832 of 2025
BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 25-11-2025

CORAM

THE HONOURABLE MRS JUSTICE S.SRIMATHY

CRL OP(MD) NO. 20832 of 2025

Pandiganesh

Petitioner(s)

Vs

The Inspector of Police,
All Women Police Station,
Karaikudi, Sivagangai District.
(Crime No.01 of 2025)

Respondent(s)

For Petitioner(s): Mr.M.Danush Kumar

For Respondent(s): Mr.E.Antony Sahaya Prabahar, Additional Public Prosecutor

Prayer:

C-8B. To enlarge the petitioner on bail in Spl.SC.No.58/2025 in the Special Judge for POCSO Act Cases, Sivagangai, in Crime No.01 of 2025 on the file of the Respondent Police.

ORDER

The petitioner, who was arrested and remanded to judicial custody on 19.01.2025 for the offences punishable under Section 351(2) of BNS read with Sections 5(l), 5(n), 5(j)(ii) and 6 of POCSO Act, 2012 in Crime No.1 of 2025, on the file of the respondent police, seeks bail.

2.The case of the prosecution is that on 20.08.2024, the accused who is the step brother of the victim had sexually assaulted her forcibly. He threatened to



commit suicide if she refused and he committed aggravated penetrative sexual assault repeatedly. She was admitted to the Government Medical College Hospital, Sivagangai, and during her hospitalization, her statement was recorded by the police. Hence, this case.

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3. The learned counsel for the petitioner submits that the petitioner is an innocent person and he has not committed any offence as alleged by the prosecution. However, he has been arrested and he is languishing in jail from 19.01.2025. Therefore, he prays for grant of bail.

4. The learned Additional Public Prosecutor appearing for the respondent police opposed for grant of bail. He submitted that the trial has started and the victim and her mother have already deposed and the case is posted for chief examination of other witnesses.

5. Considering the period of incarceration, this Court is inclined to grant bail to the petitioner on certain 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 learned Special Judge for POCSO Act Cases, Sivagangai District, and on further conditions that,

a) the sureties shall affix their photographs and left thumb impression in the surety bond and the Magistrate/concerned court may obtain a copy of their Aadhar card or Bank Pass Book to ensure their identity;



b)the petitioner shall report before the Trial Court daily at 10.30 a.m., until further orders;

c)the petitioner shall not tamper with evidence or witness;

d)the petitioner shall not abscond during 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 of BNS.

g)The petitioner shall not enter the street of the victim's school, house and street. The petitioner shall not intimidate the victim or her family.

Tmg

25-11-2025



To

1. The Inspector of Police,
All Women Police Station,
Karaikudi,
Sivagangai District.

2. Special Judge for POCSO Act Cases,
Sivagangai District.

3. The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.

4. The Central Prison,
Madurai.