



CRL OP(MD). No.22924 of 2025

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 15/12/2025

PRESENT

The HONOURABLE MRS. JUSTICE S.SRIMATHY

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Duraipandi .. Petitioner/A
Vs

State through,
The Inspector of Police,
Avaniyapuram Police Station,
Madurai District.
Crime No.508/2024. .. Respondent/Complainant

For Petitioner : P.Krishnaveni,
Advocate.

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

PETITION FOR BAIL Under Sec.483 of BNSS

PRAYER :-

C-58B. For Bail in Crime No. 508 of 2024 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 23.07.2024 for the offences



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punishable under Sections 87 of BNS and 4 of POCSO Act
@ 137(2) of BNS and 5(1) r/w 6 of the Protection of
Children from Sexual Offences Act, 2012, in Crime No.
508 of 2024, on the file of the respondent police,
seeks bail.

2. The case of the prosecution is that the son
of the defacto complainant went to see Kabadi match
at Vellakkal and after seeing the match, the
petitioner being a known person asked the victim boy
to come with him so that he will drop him at his
house and took him to Kamaraj Nagar extension area in
Avaniapuram and committed sexual assault on the
victim boy. 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 23.07.2024.
Hence, he seeks bail to the petitioner.



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4. The learned Additional Public Prosecutor submitted that the petitioner has three previous cases and he has produced the 164 statement of the victim boy. However, he opposed for grant of bail to the petitioner.

5. Taking into consideration of the facts and circumstances of the case and inspite of the petitioner has three previous cases but they are not similar in nature, and in the 164 statement, the victim has narrated the heinous offence committed by the petitioner when the petitioner/accused was under the influence of alcohol has committed the offence, and considering the nature of offence 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

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sureties, each for a like sum to the satisfaction of the learned Sessions Judge, Principal Special Court for Exclusive Trial of Cases under POCSO Act, Madurai, 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 police daily at 10.30 a.m., until further orders; the petitioner shall not intimidate the victim and his family and he shall not enter in the street, school college or other places where the victim moves on;

[c] the petitioner shall not tamper with the evidence or witness either during



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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 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.

15.12.2025

PJL



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1. Sessions Judge, Principal Special Court for Exclusive Trial of Cases under POCSO Act, Madurai
2. Do-Through The Chief Judicial Magistrate, Madurai District.
3. The Superintendent, Central Prison, Madurai.
4. The Inspector of Police, Avaniyapuram Police Station, Madurai District.
5. The Additional Public Prosecutor, Madurai Bench of Madras High Court, Madurai.



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S . SRIMATHY , J

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ORDER
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