



CRL OP(MD). No.22295 of 2025

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 18.12.2025

PRESENT

THE HONOURABLE MRS. JUSTICE S.SRIMATHY

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Ganesan

... Petitioner/Accused

Vs

The State of Tamil Nadu
Rep.By, the Inspector of Police,
AWPS – Thirumayam,
Pudukkottai District.
(Crime No.10 of 2025)

... Respondent/Complainant

For Petitioner : Mr.P.Sujai Krishna
Advocate.

For Respondent : Mr.E.Antony Sahaya Prabakar
Additional Public Prosecutor

PETITION FOR BAIL Under Sec.483 of BNSS

PRAYER :- For Bail in Spl.S.C.No.92 of 2025 on the file of the Mahila Court, Pudukkottai in connection with the Crime No.10 of 2025 on the file of the respondent police.



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ORDER : The Court made the following order :-

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The petitioner, who was arrested and remanded to judicial custody on 23.08.2025 for the offences punishable under Sections 5(K), 5(1), 5(j) (ii), 6(1) of POCSO Amendment Act 2019 and Sections 87, 351(2), 127(2) of BNS Act and Section 92(b) Rights of persons with disabilities Act 2016, in Spl.S.C.No.92 of 2025 on the file of the Mahila Court, Pudukkottai in connection with the Crime No.10 of 2025 on the file of the respondent police. seeks bail.

2. The case of the prosecution is that the petitioner had committed penetrative sexual assault upon the girl, who is mentally challenged, aged about 15 years, due to which she became pregnant and thereafter, aborted. 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 ready and willing to abide by any conditions which may be imposed by this Court and he is in judicial custody from 23.08.2025. Hence, he seeks



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bail to the petitioner.

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4. The learned Additional Public Prosecutor submitted that earlier application was dismissed by this Court dated 28.10.2025 for the reason that the investigation is at initial stage. He further submitted that now the investigation has been completed and the charge sheet has also been filed. 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 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 learned Sessions Judge, Mahila Court, Pudukkottai, and on further conditions that :-



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[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.

[b] the petitioner shall not leave in his Village namely Keelapanaiyur and shall not intimidate the victim and her family members and shall not enter into the school, street and working place of the victim girl. Further, the petitioner shall report before the respondent police daily at 10.30 a.m., until further orders.

[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



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of Kerala [(2005)AIR SCW 5560].

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

(S S Y J)
18.12.2025

msrm

To

1. The learned Sessions Judge, Mahila Court,
Pudukkottai.
2. The Superintendent, District Prison,
Pudukkottai.
3. The Inspector of Police,
AWPS – Thirumayam,
Pudukkottai District.
4. The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.



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S.SRIMATHY,J.

msrm

ORDER
IN
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