



CRL OP(MD). No.21660 of 2025

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

Date : 27/11/2025

PRESENT

The HONOURABLE MRS. JUSTICE S.SRIMATHY

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Jeyakumar .. Petitioner/Sole Accused
Vs

State of Tamilnadu Rep by,
The Inspector of Police,
All Women Police Station,
Srivaikundam,
Thoothukudi District.
Crime No.22 of 2025. .. Respondent/Complainant

For Petitioner : N.Pragalathan,
Advocate.

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

PETITION FOR BAIL Under Sec.483 of BNSS

PRAYER :- C-38B. For Bail in Crime no.22 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 24.08.2025 for the offences
punishable under Sections 64(2)(k), 329(3) & 351(2)
of BNS, in Crime No.22 of 2025 on the file of the
respondent police, seeks bail.



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2. The case of the prosecution is that the defacto complainant's daughter is mentally affected person. On 13.07.2005 when the defacto complainant went to a marriage function, the accused trespassed into the house of the defacto complainant and sexually assaulted the victim. 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 24.08.2025. Hence, he seeks bail to the petitioner.

4. The learned Additional Public Prosecutor submitted that the petitioner has no previous cases. He further submitted the 164 statement of the victim girl. However, he opposed for grant of bail to the petitioner.

5. Taking into consideration of the facts and circumstances of the case and in the 164 statement,



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though the victim girl has narrated the way in which she was sexually assaulted by the petitioner, the petitioner is languishing in prison for more than 90 days and hence, 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 Judicial Magistrate No.I, Srivaikundam, Thoothukudi District, 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 is debar from entering the Muthalankurichi village until the trial proceedings is completed and the petitioner shall not intimidate the victim or her family;



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[c] the petitioner shall report before the respondent police daily at 10.30 a.m., until further orders;

[d] the petitioner shall not tamper with the evidence or witness either during investigation or trial;

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

[f] 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];

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

27.11.2025

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TO

1. The Judicial Magistrate No.1, Srivaikundam, Thoothukudi District.
- 2.The Superintendent, Central Prison, Palayamkottai, Tirunelveli District.
- 3.The Inspector of Police, All Women Police Station, Srivaikundam, Thoothukudi District.
4. The Additional Public Prosecutor, Madurai Bench of Madras High Court, Madurai.

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