



CRL OP(MD). No.21993 of 2025

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Dated : 15/12/2025

CORAM

THE HONOURABLE MRS. JUSTICE S.SRIMATHY

CRL OP(MD). No.21993 of 2025

Chellaiah,

... Petitioner

Vs

State of Tamilnadu Rep by
Inspector of Police,
All Women Police Station,
Peraiyur,
Madurai District.
In Cr. No.26/2025.

... Respondent

PRAYER :-

For Bail in Crime No.26/2025 on the file of the respondent police.

For Petitioner : Mr.P Krishnasamy,

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



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ORDER

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The petitioner, who was arrested and remanded to judicial custody on 21.10.2025 for the offences punishable under Sections 5(m), 6 of Protection of Child from Sexual Offences Act, 2012, in Crime No.26 of 2025 on the file of the respondent police, seeks bail.

2. The case of the prosecution is that the petitioner misbehaved with the victim girl, who is aged about 8 years. 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 21.10.2025. Hence, he seeks bail to the petitioner.

4. The learned Additional Public Prosecutor submitted that the petitioner misbehaved with the victim girl, who is aged about 8 years and also submitted that 164 Cr.P.C statement has been recorded from the victim girl. Therefore, he opposed for grant of bail to the petitioner.



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5. 164 Cr.P.C statements have been recorded from the victim girl as well as the defacto complainant/mother of the victim girl and they were clearly stated the offence committed by the petitioner.

6. Taking into consideration of the facts and circumstances of the case, considering the age of the petitioner 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:

7. 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 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.



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[b] the petitioner shall stay at Trichy and report before the Inspector of Police, Cantonment police Station, Trichy District daily at 10.30 a.m., until further orders.

(c) The petitioner is directed not to intimidate the victim girl and her family. The petitioner shall not enter the house, street, Schools/collages or any workplace of the victim or any of her family members.

[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.

15.12.2025

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TO

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1. Inspector of Police,
All Women Police Station,
Peraiyur,
Madurai District.
2. The Special Court for Exclusive Trial of Cases under POCSO Act,
Madurai.
3. The Superintendent of Police,
Central Police Madurai.



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S.SRIMATHY,J

TTA

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IN
CRL OP(MD) No.21993 of 2025**

Date : 15/12/2025