



CRL OP(MD). No.21804 of 2025

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 09.12.2025

PRESENT

THE HONOURABLE MRS. JUSTICE S.SRIMATHY

CRL OP(MD)No.21804 of 2025

P.Palani

... Petitioner / Sole Accused

Vs

The State of Tamilnadu,
Rep by the Inspector of Police,
All Women Police Station,
Paramakudi Taluk,
Ramanathapuram District.
(Crime No.21 of 2025)

... Respondent/Complainant

For Petitioner : Mr.R.Murugan

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

PETITION FOR BAIL Under Sec.483 of BNSS

PRAYER :- For Bail in Crime No.21 of 2025 on the file of the
respondent police.



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ORDER : The Court made the following order :-

The petitioner, who was arrested and remanded to judicial custody on 07.11.2025 for the offences punishable under Sections 64(2) and 62 of BNS, 2023 (Section 376 and 511 of IPC), in Crime No.21 of 2025 on the file of the respondent police, seeks bail.

2. The case of the prosecution is that on 07.11.2025, at about 06.30 a.m., when the victim had gone out to attend natural call, the petitioner allegedly attempted to rape her. Hence, the case.

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 07.11.2025. Hence, he seeks bail to the petitioner.

4. The learned Additional Public Prosecutor submitted that the victim is a mentally challenged person and that the petitioner had allegedly attempted to rape her. He further contended that, if the



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petitioner released on bail, he is likely to abscond and evade the due process of law. Hence, he strongly opposed the grant of bail to the petitioner.

5. Taking into consideration of the facts and circumstances of the case and taking note that there is no allegation of penetrative sexual assault 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 Judicial Magistrate Court, Paramakudi, Ramanathapuram 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.



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

[c] the petitioner shall not intimidate the victim and her family members. He shall not enter the victim's village, nor shall he visit or go near any place where the victim or her family resides or frequently moves, so as to ensure that no form of intimidation or interference is caused.

[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].



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

(S S Y J)
09.12.2025

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To

1. The Judicial Magistrate Court,
Paramakudi,
Ramanathapuram District.
2. The Officer-in-Charge,
District Prison,
Ramanathapuram.
3. The Inspector of Police,
All Women Police Station,
Paramakudi Taluk,
Ramanathapuram District.
4. 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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