



CRL OP(MD). No.23220 of 2025

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 17/12/2025

PRESENT

The HONOURABLE MRS. JUSTICE S.SRIMATHY

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Vijayaragavan,
S/o. Sakthimutugan,

... Petitioner/Accused

Vs

The State of Tamilnadu Rep.,
By, the Inspector of Police,
All Women Police Station,
Kovilpatti,
Thoothukudi District
(Crime No. 37 of 2025).

... Respondent/Complainant

For Petitioner : M/s. Prabu.M.,
For Respondent : Mr.E.Antony Sahaya Prabahar
Additional Public Prosecutor

PETITION FOR BAIL Under Sec.483 of BNSS

PRAYER :-

For Bail in Crime No. 37 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 29.09.2025 for the offences punishable under Sections 5(1), 5(j) (ii), 6 of POCSO Act, in Crime No.37 of 2025 on the file of the respondent police, seeks bail.

2. The case of the prosecution is that the the petitioner misbehaved with the victim girl, who is aged about 16 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 29.09.2025. Hence, he seeks bail to the petitioner.

4. The learned Additional Public Prosecutor submitted that the petitioner and the victim girl loved in each other and had a consensual sexual relationship, as a result of which she is now nine months pregnant



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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.

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 Special Court for Exclusive Trial of Cases under POCSO Act, Thoothukudi, 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.



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(c) While executing the sureties, the petitioner shall file an undertaking affidavit stating that he will marry the victim girl after she attains majority.

[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.

(S S Y J)
17.12.2025

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TO
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1. The Special Court for Exclusive Trial of Cases under POCSO Act,
Thoothukudi,
2. The Superintendent,
District Jail,
Perunrani,
Thoothukudi Distirct.
3. The Inspector of Police,
All Women Police Station,
Kovilpatti,
Thoothukudi 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
IN
CRL OP(MD) No.23220 of 2025**

Date : 17/12/2025