



CRL OP(MD). No.100 of 2026

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 23/01/2026

PRESENT

The HONOURABLE MRS. JUSTICE S.SRIMATHY

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Rajendran,
S/o.Perumal Thevar,

... Petitioner/Accused

Vs

The State of Tamilnadu,
Rep by the Inspector of Police,
Uthamapalayam All Women Police Station,
Theni District.
Crime No.35/2025..

... Respondent/Complainant

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

PETITION FOR BAIL Under Sec.483 of BNSS

PRAYER :-

For Bail in Crime No.35/2025 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 for the offences punishable under Sections 329(4), 351(2) of BNS (Correspondent IPC Sections are 441 and 506(1) and Sections 9(1), 9(m), 10 of POCSO Act, 2012, in Crime No.35 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 9 years old. Hence, the complaint.

3. On the earlier occasion, this Court perused the 164 Cr.P.C statement, wherein it was stated that the victim's sister had also been subjected to sexual assault. Therefore, this Court directed the prosecution to record an another 164 Cr.P.C statement from the sister of the alleged victim.

4. As per the direction of this Court, another 164 Cr.P.C statement was recorded from the sister of the victim girl, wherein it is stated that no such incident had occurred.

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5. 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 already there was a dispute between the petitioner and the victim family, therefore, the present false complaint has been given and he further submitted that the petitioner is ready and willing to abide by any conditions which may be imposed by this Court. Hence, he seeks bail to the petitioner.

6. The learned Additional Public Prosecutor submitted that the victim are now in the Home and they are in safe custody. However, he opposed for grant of bail to the petitioner.

7. Taking into consideration of the facts and circumstances of the case and also consideration the period of incarceration suffered by the petitioner, this Court is inclined to grant bail to the petitioner, subject to the following conditions:

8. 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)



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with two sureties, each for a like sum to the satisfaction of the learned Principal Special Court for Exclusive Trial of Cases under POCSO Act, Theni, and on further conditions that :-

[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 appear before the respondent police daily at 10.30 a.m., until further orders. Further, the petitioner shall not enter into the streets and schools of the victim girl and he shall not intimidate the victim and her family members.

[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



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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].

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

(S S Y J)
23.01.2026

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TO

1. The Principal Special Court for Exclusive Trial of Cases under POCSO Act,
Theni.
2. The Superintendent,
District Jail,
Thekkampatti.
3. The Inspector of Police,
Uthamapalayam All Women Police Station,
Theni 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
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