



CRL OP(MD). No.1605 of 2026

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 29.01.2026

PRESENT

The HONOURABLE MRS. JUSTICE S.SRIMATHY

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Surya @ Sivasurya ... Petitioner/Accused

Vs

State of Tamilnadu Rep by,
The Inspector of Police,
Keeranur Police Station,
Pudukottai District.
Crime No.17 of 2025. ... Respondent/Complainant

For Petitioner : Mr.D.Rajaboopathy,
Advocate.

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

PETITION FOR BAIL Under Sec.483 of BNSS

PRAYER :- For Bail in Crime No.17 of 2025 on
the file of the Respondent Police.

ORDER

The petitioner, who was arrested and remanded
to judicial custody on 29.10.2025 for the offences
punishable under Sections 351(2) of BNS 2023, and



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Sections 5(n), 5(1), 5(j)(ii) r/w 6(1) of POCSO Act,
in Crime No.17 of 2025 on the file of the respondent
police, seeks bail.

2. The case of the prosecution is that the petitioner and A1 had committed penetrative sexual offence against the victim girl, who is aged about 15 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 29.10.2025. Hence, he seeks bail to the petitioner.

4. The learned Government Advocate (Criminal Side) submitted the 164 statement of the victim girl and he opposed for grant of bail to the petitioner.

5. This is second application. The first bail application was dismissed on the ground that two



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accused persons have committed the penetrative sexual assault on the victim girl who was 15 years old. The victim gave birth to a child. According to the prosecution, based on DNA test, Accused No.1 is the biological father. Since the petitioner has also committed penetrative assault against the victim, and since there is no change in circumstances, this Court is not inclined to grant bail to the petitioner. Accordingly, this Criminal Original Petition is dismissed.

29.01.2026

PJL

TO

1. The Inspector of Police,
Keeranur Police Station,
Pudukottai District.

2. The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.

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S.SRIMATHY, J.

PJL

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