



CRL OP(MD). No.1717 of 2026

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 18.02.2026

PRESENT

THE HONOURABLE MRS. JUSTICE S.SRIMATHY

CRL OP(MD). No.1717 of 2026

Mahenthiran

... Petitioner/Accused

Vs

The State of Tamil Nadu,
Rep By, The Inspector of Police,
All Women Police Station,
Musiri,
Trichy District.
(Crime No.53 of 2025)

... Respondent/Complainant

For Petitioner : Mr.K.Prakash

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.53 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 24.12.2025 for the offences punishable under Sections 64(2), 64(2) (k), 115(2), 351(2) of BNS 2023 and Section 92 of the Rights of Persons with Disabilities Act 2016, in Crime No.53 of 2025 on the file of the respondent police, seeks bail.

2. The case of the prosecution is that the petitioner harassed and raped the mentally challenged daughter of the defacto complainant. 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 ready and willing to abide by any conditions which may be imposed by this Court and he is in judicial custody from 24.12.2025. Hence, he seeks bail to the petitioner.



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4. The learned Additional Public Prosecutor submitted that there is no previous case pending against the petitioner and the investigation is still pending. However, he opposed for grant of bail to the petitioner.

5. Taking into consideration the facts and circumstances of the case, and upon reading the statement recorded under Section 164, it appears that the victim is not supporting the case of the prosecution. Further, 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, Thuraiyur, Trichy District, 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.



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[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 Thuraiyur Village and 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 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)
18.02.2026

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To
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1. The learned Judicial Magistrate,
Thuraiyur, Trichy District.
2. The Superintendent, Sub Jail,
Thuraiyur, Trichy District.
3. The Inspector of Police,
All Women Police Station,
Musiri,
Trichy 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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