



CRL OP(MD). No.2050 of 2026

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 03.02.2026

PRESENT

THE HONOURABLE MRS. JUSTICE S.SRIMATHY

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Thavasi

..Petitioner/ Accused

Vs

The State of Tamil Nadu,
Rep by the Inspector of Police,
All Women Police Station,
Thirumayam, Pudukkottai District.
(Crime No.10 of 2024)

.. Respondent/Complainant

For Petitioner : Mr.D.S.Haroon Rasheed

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

PETITION FOR BAIL Under Sec.483 of BNSS

PRAYER :- For Bail in Spl.S.C.No.49 of 2024 on the file of the Mahila Court, Pudukkottai, in Crime Noi.10 of 2024 on the file of the respondent police.



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ORDER : This Court made the following order :-

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The petitioner / Accused, who was arrested and remanded to judicial custody on 08.01.2026 for the offences punishable under Sections 5(l) r/w 1 of POCSO Amendment Act 2019 and Section 9 of the Child Marriage Act 2006. Thereafter, the charge sheet filed in Spl S.C.No.49 of 2024 on the file of the Mahila Court, Pudukkottai for the offences under Sections 5(l) r/w 1 of POCSO Amendment Act 2019 and Section 9 of the Child Marriage Act 2006, Section 137(2) of BNSS (Corresponding offences under Sections 366 of IPC), seeks bail.

2. The learned counsel for the petitioner submitted that after the registration of the case in Crime No.10 of 2024 and the respondent police have completed the investigation and filed a charge sheet in Spl.S.C.No. 49 of 2024 before the Mahila Court, Pudukkottai. He further submitted that due to non-appearance of the petitioner, the trial Court has issued NBW against the petitioner and the same was executed on 08.01.2026. He further submitted that the petitioner undertakes that he will not abscond and he will regularly appear before the Trial Court on hearing dates without fail. He further submitted that the petitioner is in judicial custody from 08.01.2026. Hence, he seeks bail.



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3. The learned Additional Public Prosecutor submitted that the petitioner failed to appear before the trial Court, due to which the trial Court had issued Non Bailable Warrant to the petitioner. Hence, he vehemently opposed for grant of bail to the petitioner.

4. Taking into consideration of the facts and circumstances of the case and also the fact that it is a love affair between the petitioner and the defacto complainant and 164 statement is not supported the case of the prosecution and also considering the undertaking given by the learned Counsel for the petitioner 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:

5. 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 Mahila Court, Pudukkottai, 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



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Bank pass Book to ensure their identity.

(b) the petitioner shall appear before the trial Court daily at 10.30 a.m., until further orders.

[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)
03.02.2026

msrm



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To

1. The learned Mahila Court,
Pudukkottai.
2. The Superintended, District Prison,
Pudukkottai.
3. The Inspector of Police,
All Women Police Station,
Thirumayam, Pudukkottai District.
4. The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.



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S.SRIMATHY,J.

msrm

ORDER
IN
CRL OP(MD) No.2050 of 2026

Dated : 03.02.2026