



CRL OP(MD). No.3079 of 2026

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 18.02.2026

PRESENT

THE HONOURABLE MRS. JUSTICE S.SRIMATHY

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Abimanyu

... Petitioner/Accused

Vs

The State of Tamil Nadu,
Rep By, The Inspector of Police,
Woraiyur Police Station,
Trichy District.
(Crime No.719 of 2025)

... Respondent/Complainant

For Petitioner : Mr.A.Joseph Jerry
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.719 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 06.01.2026 for the offences punishable under Sections 137 BNS and 5(1), 5(i)(ii) r/w 6(1) of POCSO Act 2012 Girl Missing, in Crime No. 719 of 2025 on the file of the respondent police, seeks bail.

2.The case of the prosecution is that the petitioner had penetrative sexual assault on the victim girl, who is aged 17 years, due to which the victim girl became pregnant. Thereafter, the fetus was aborted. 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 marry the victim girl and the petitioner had handed over the certificates belonging to the victim girl to 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 06.01.2026. 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. He further submitted that the victim girl is not willing to marry the petitioner. Hence, 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 petitioner committed sexual assault on the victim girl. Now, the petitioner is ready and willing to marry the victim girl, but the victim girl has refused to marry the petitioner. If the victim girl is willing to marry the petitioner, the petitioner is directed to marry the victim girl. 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 Additional Mahila Court, Trichy District, and on further conditions



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that :-

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[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 threatened and shall not intimidate the family members of the victim girl.

[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].



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

(S S Y J)
18.02.2026

msrm

To

1. The learned Additional Mahila Court,
Trichy District.
2. The Superintendent, Central Prison,
Trichy.
3. The Inspector of Police,
Woraiyur Police Station,
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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