



WEB COPY

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 21.04.2026

PRESENT

THE HONOURABLE MR. JUSTICE P. DHANABAL

CRL OP(MD).No. 3741 of 2026

Senthilkumar

...Petitioner/Accused No.1

Vs

State of Tamil Nadu rep. by
The Inspector of Police,
Koodalpudur Police Station,
Madurai City.
(In Crime No.151 of 2024)

... Respondent/Complainant

For Petitioner : Mr.Ananthapadmanabhan, Senior Counsel
for Mr.K.Vignesh

For Respondent : Mr.B.Nambi Selvan
Additional Public Prosecutor

PETITION FOR BAIL Under Sec.483 of BNSS

PRAYER :-

For Bail in Crime No.151 of 2024 on the file of the respondent police.



ORDER : The Court made the following order :-

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The petitioner / Accused, who was arrested and remanded to judicial custody on 24.03.2024 for the offences punishable under Sections 174 of Cr.P.C altered into Sections 302, 201 of IPC and Sections 5(j)(iv), 5(I), 5(m), 5(n), 16, 17 and 6 of POCSO Act, in Crime No.151 of 2024 on the file of the respondent police, seeks bail.

2. The case of the prosecution is that the deceased victim girl is aged about 11 years. On 21.03.2024 at about 03.30 p.m, the petitioner is said to have committed the sexual assault upon the victim girl. When the same was resisted by her, he shut her mouth and strangled her neck, due to which, she died . Hence, this case.

3. The learned counsel appearing for the petitioner would submit that the petitioner is innocent and he was falsely implicated in this case and he has not committed any offence as alleged by the prosecution. He would further submit that this is the fifth bail application. Earlier petition filed by the petitioner were dismissed by this Court and due to avocation, the petitioner is used to come to his native place once in a year. By using



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this opportunity, the wife of the petitioner has illegal intimacy with some persons and that person also used to abuse the deceased. When the same was questioned by the petitioner a false complaint has been lodged against him. He would further submit that the petitioner is in judicial custody on 24.03.2024. Therefore, prayed to grant bail for the petitioner.

4. The learned Additional Public Prosecutor appearing for the respondent would submit that on 21.03.2024 at about 03.30 p.m, the petitioner is said to have committed the sexual assault upon the victim girl and when the same was resisted by her, he shut her mouth and strangled her neck, due to which, she died. He would further submit that the offences are grave in nature and hence, he strongly opposed to grant bail to the petitioner.

5. This Court heard both sides and perused the materials available on record.

6. Considering the rival submissions made by the learned counsel on either side, nature of offence and the fact that the material witnesses



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have been examined and there is a delay in producing the witnesses by the prosecution and the petitioner used to visit his native place once in a year due to his nature of job and also he made allegations against his wife that she had illicit relationship with some other person and his child was also subjected for sexual assault by somebody and as per the medical evidence the victim was subjected for frequent penetrative sexual assault and even according to the case of prosecution the petitioner reached his native place one day prior to the occurrence and thereby there is a possibility of involvement of other persons and also considering the period of incarceration undergone by the petitioner from 24.03.2024 onwards, this Court is inclined to grant bail to the petitioner subject to the following conditions:

[a] Accordingly, the petitioner is ordered to be released on bail on condition to execute 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 Special Court for Exclusive Trial of Cases under POCSO Act, Madurai, and on further conditions that:

[b] the petitioner shall report before trial Court,



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daily at 10.30 a.m until further orders;

[c] the petitioner shall not commit any offence similar to the offence of which he is accused, or suspected, or of the commission of which she is suspected;

[d] the petitioner shall not abscond either during investigation or trial;

[e] the petitioner shall not directly or indirectly make any inducement, threat or promise to any person acquainted with the facts of the case so as to dissuade him from disclosing such facts to the Court or to any police officer or tamper with the evidence;

[f] On breach of any of the aforesaid conditions, the learned Judicial 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].



[g] If the accused thereafter absconds, a fresh FIR can

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(P D B J)
21.04.2026

dss

To

- 1.The Special Court for Exclusive Trail of Cases under POCSO Act,
Madura.
- 2.The Inspector of Police,
Koodalpudur Police Station, Madurai City.
3. The Superintendent, Central Prison, Madurai.
- 4.The Additional Public Prosecutor,
Madurai Bench of Madras High Court, Madurai.



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P. DHANABAL, J

dss

ORDER
IN
CRL OP(MD) No. 3741 of 2026

Date : 21.04.2026