



CRL OP(MD). No.4334 of 2026

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 11.03.2026

PRESENT

THE HONOURABLE MR.JUSTICE K.K.RAMAKRISHNAN

CRL OP(MD)No.4334 of 2026

Pandi @ Perusali Pandi

... Petitioner / Sole Accused

Versus

The State of Tamilnadu,
Rep by the Inspector of Police,
C5-Karimedu Police Station,
Madurai District.
(Crime No.664 of 2015)

... Respondent / Complainant

PRAYER :-Criminal Original Petition filed under Section 483 of the BNSS, 2023, to enlarge the petitioner on bail in Spl.S.C.No.5 of 2018 on the file of the learned Principal Special Court for Exclusive Trial of Cases under POCSO Act, Madurai in Crime No.664 of 2015 on the file of the respondent police.

For Petitioner : Mr.R.Satham Sharif,
Advocate

For Respondent : Mr.S.Ravi,
Additional Public Prosecutor



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ORDER : The Court made the following order :-

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The petitioner, who was arrested and remanded to judicial custody on 02.10.2025 for the offences punishable under Section 174 of Cr.P.C. and Section 376 of IPC, in Spl.S.C. No.5 of 2018 on the file of the learned Principal Special Court for Exclusive Trial of Cases under the POCSO Act, Madurai, arising out of Crime No.664 of 2015 on the file of the respondent police, seeks bail.

2. The case of the prosecution is that on 29.06.2015, the victim girl, complaining of stomach pain, was admitted to the Government Hospital for treatment. Upon examination, the doctor found that she had delivered a male child, which was dead. Thereafter, the respondent police, during investigation, found that the petitioner is the biological father of the child and that he had allegedly committed sexual assault on the victim girl. After following the due process of law, the respondent police registered the present case.

3. The petitioner was initially arrested and released on bail. Subsequently, he failed to appear before the trial Court and did not co-



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operate with the trial. Hence, a Non-Bailable Warrant was issued against him on 14.08.2025, and the respondent police secured him on 02.10.2025.

4. The learned counsel appearing for the petitioner submitted that the petitioner is innocent and has not committed any offence as alleged by the prosecution. He further submitted that the petitioner would co-operate with the trial. Hence, he prayed for the grant of bail to the petitioner.

5. The learned Additional Public Prosecutor submitted that the petitioner has 12 previous cases against him, including offences under Section 302 of IPC and cases under the POCSO Act. He further submitted that all the witnesses have been examined and the present case is posted for arguments on the side of the defence, but the petitioner has not co-operated with the trial. Hence, he strongly objected to the grant of bail to the petitioner.

6. This Court heard the learned counsel appearing on either side



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and perused the materials placed on record.

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7. Considering the facts and circumstances of the case, and also taking into account the previous antecedents of the petitioner, this Court is of the *prima facie* view that, if the petitioner is granted bail, there would chance of absconding and his presence for further proceedings may not be secured. Hence, this Court is not inclined to grant bail to the petitioner. Accordingly, this Criminal Original Petition is dismissed.

11.03.2026

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To

- 1.The Judge,
Principal Special Court for Exclusive Trial of Cases under POCSO Act,
Madurai.
- 2.The Inspector of Police,
C5-Karimedu Police Station,
Madurai District.
- 3.The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.



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K.K.RAMAKRISHNAN,J.

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ORDER
IN
CRL OP(MD) No.4334 of 2026

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