



CRL OP(MD) NO. 4152 of 2026

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: **25-02-2026**

CORAM

THE HONOURABLE MRS JUSTICE S.SRIMATHY

CRL OP(MD) NO. 4152 of 2026

Malaiyandi

Petitioner(s)

Vs

State Of Tamilnadu Rep By Inspector Of Police, Vaiyampatty
Police Station
Tiruchirappalli District.
Crime No.587 of 2025

Respondent(s)

For Petitioner(s):

Mr.M.Pirithivirajan

For Respondent(s):

Mr.E.Antony Sahaya Prabahar,
Additional Public Prosecutor

Prayer:C-38B. For Bail in Crime No. 587 of 2025 on the file of the respondent Police.

ORDER

The petitioner/sole accused, who was arrested and remanded to judicial custody on 08.01.2026 for the offences punishable under Sections 5(1) read with 6(1) of POCSO Act, 2012 and Section 87 of BNS, 2023, in Crime No. 587 of 2025, on the file of the respondent police, seeks bail.



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2. The case of the prosecution is that the petitioner had love affair with the victim minor girl and left the house and had illicit intercourse and both were secured. Hence, the complaint.

3. The learned counsel appearing for the petitioner submitted that the has been in judicial custody from 08.01.2026. The petitioner is ready and willing to abide by any conditions that may be imposed by this Court. Hence, bail is sought for the petitioner.

4. The learned Additional Public Prosecutor appearing for the respondent police submitted that the offence committed by the petitioner is serious in nature.

5. Considering the fact that the statement given by the victim under Section 164(1) of Cr.P.C. does not support the prosecution case, and also considering the period of incarceration, 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



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two sureties, each for a like sum to the satisfaction of the learned Sessions

Judge, Mahila Court, Trichy, 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.

(b) the petitioner shall report before the respondent police daily at 10.30 a.m., for a period of one week and thereafter as and when required for interrogation.

[c] the petitioner shall not tamper with evidence or witness and 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.

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KSA

To

1. The Sessions Judge, Mahila Court, Trichy,
2. The Superintendent, Central Prison, Trichy.
3. The Inspector of Police, Vaiyampatty
Police Station,
Tiruchirappalli District.
Crime No.587 of 2025
4. The Additional Public Prosecutor,
Madurai Bench of Madras High Court, Madurai.