



CRL OP(MD). No.5171 of 2026

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

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Dated : 11/03/2026

CORAM

THE HONOURABLE MR. JUSTICE K.K. RAMAKRISHNAN

CRL OP(MD). No.5171 of 2026

Nagarani

... Petitioner/Accused No.2

Vs

State of Tamilnadu Rep by,
The Inspector of Police,
Theni Police Station,
Theni District.
(Crime No. 153 of 2026).

... Respondent/Complainant

PRAYER :-

For Bail in Crime No.153 of 2026 on the file of the Respondent Police.

For Petitioner : Mr. D.Rajaboopathy,
Advocate.

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

ORDER: The Court made the following order :-

The petitioner/Accused No.2, who was arrested and remanded to judicial custody on 22.02.2026 for the offences punishable under Section



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87 of BNS, 2023 and Section 5(L) r/w Section 6 & 17 POCSO Act, 2012, and Section 9 of Prohibition of Child Marriage Act, 2006, in Crime No. 153 of 2026, on the file of the respondent police, seeks bail.

2.The case of the prosecution is that on 16.02.2026, at about 11.00 a.m, A1 is said to have kidnapped the victim girl to the house of the petitioner/A2 & A3 and committed penetrative sexual assault upon her several times on the false promise that he will marry her. Hence, the respondent police registered a case against the accused for the offences under Section 5(L) r/w Section 6 & 17 POCSO Act, 2012, and Section 9 of Prohibition of Child Marriage Act, 2006 and arrested her. Hence, this petition.

3. The learned counsel for the petitioner submits that the petitioner is an innocent person and she has not committed any offence as alleged by the prosecution. He further submits that the petitioner is not aware of any of the fact about the allegations made against A1. She has not been involved in any offence except giving shelter to the victim girl and A1 and further, A1 is the friend of A3. Apart from that, she has been arrested



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and she is languishing in jail from 22.02.2026. Therefore, he prays for grant of bail.

4. The learned Additional Public Prosecutor appearing for the respondent police opposed for grant of bail stating that she intentionally gave shelter to the victim and A1 and the investigation is still pending.

5. Considering period of incarceration and also considering the allegation that the petitioner only gave shelter to the victim girl and A1 in her residence, this Court is inclined to grant bail to the petitioner on certain 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 Principal Special Court for Exclusive Trial of Cases under POCSO Act, Theni, and on further conditions that,



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a)the sureties shall affix their photographs and left thumb impression in the surety bond and the Magistrate/concerned court 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 15 days and thereafter, as and when required for interrogation, until further orders;

c)the petitioner shall not tamper with evidence or witness;

d)the petitioner shall not abscond during 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 of BNS.

7. This Court made this order only to the petitioner alone and it is not a precedent for grant of bail to A1.

11.03.2026

DSS

TO

- 1.The Principal Special Court for Exclusive Trial of Cases under POCSO Act, Theni,
2. The Superintendent of Prison,
District Prison, Thegampatti, Theni.
- 3.The Inspector of Police,
Theni Police Station,
Theni District.
- 4.The Additional Public Prosecutor,
Madurai Bench Of Madras High Court,
Madurai.



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K.K. RAMAKRISHNAN,J

DSS

ORDER
IN
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