



Crl.O.P.(MD)No.6886 of 2026

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 10.04.2026

PRESENT

THE HONOURABLE MR. JUSTICE P. DHANABAL

CRL OP(MD). No. 6886 of 2026

Manthira Moorthy

... Petitioner

Vs

The State of Tamil Nadu,
Rep. by the Inspector of Police,
Srivaikundam Police Station,
Thoothukudi District.
(in Crime No.26 of 2025)

...Respondent/Complainant

For Petitioner : Mr.A.Robinson
Advocate.

For Respondent : Mr.P.Kottai Chamy
Government Advocate (Crl. Side)

PETITION FOR BAIL Under Sec.483 of BNSS

PRAYER :-

For Bail in Crime No.26 of 2025 on the file of the respondent.

ORDER : The Court made the following order :-

The petitioner, who was arrested and remanded to judicial custody on 05.09.2025 for the offences punishable under Sections 115, 351(2), 330 BNS and Section 5(1) r/w. 6 of POCSO Act and Section 7 r/w. 8 of POCSO Act, in Crime No.26 of 2025, on the file of the respondent, seeks bail.



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2. The case of the prosecution is that the petitioner said to have committed penetrative sexual assault on the victim girl, who was aged about 17 years at the time of occurrence and also threatened her in dire consequences. Hence, the case.

3. The learned counsel appearing for the petitioner would submit that the petitioner is an innocent and he has not involved in any offence as alleged in the FIR. There is love affair between the petitioner and the victim girl. When the same was came to the knowledge of the victim girl's parents, they foisted the false case. Earlier bail application filed by the petitioner was dismissed by this Court. Therefore, prayed to grant bail for the petitioner.

4. The learned counsel appearing for the respondent would submit that the offences are grave in nature. The petitioner and the victim girl are relatives and they have love affair. Their parents opposed to perform their marriage. The statement of the victim under Section 183 of BNSS has been recorded. In which, he clearly stated about the occurrence. Considering the gravity of the offence, earlier bail application filed by the petitioner was dismissed by this Court. Investigation in this case has been completed and final report has also



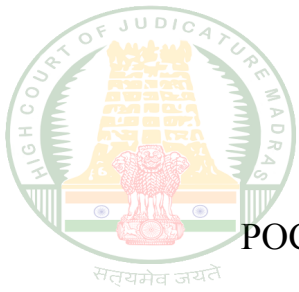
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been filed before the concerned Court and the same was taken cognizance in Spl.S.C.No.149 of 2025 on the file of Mahila Court/Additional POCSO Court, Thoothukudi. Now the case is posted for trial. Hence, he vehemently opposed the grant of bail to the petitioner.

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

9. Considering the rival submissions made by the learned counsel on either side, considering the nature of offence, and there is love affair between the petitioner and the victim, statement of the victim under Section 183 BNSS was also recorded, now the investigation has been completed and the case is pending for trial in Spl.S.C.No.149 of 2025 on the file of the Mahila Court/Additional POCSO Court, Thoothukudi and also considering the period of incarceration of the petitioner from 05.09.2025, 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 Sessions Judge, Mahila Court/Additional



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POCSO Court, Thoothukudi and on further conditions that:

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[b] the petitioner shall report before the Sessions Judge, Mahila Court/Additional POCSO Court, Thoothukudi, at 10.30 a.m., on all working days, until further orders.

[c] the petitioner shall not commit any offence similar to the offence of which he/she is accused, or suspected, or of the commission of which he/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 her 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 2660].

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



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registered under Section 269 BNS.

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(P D B J)
06.04.2026

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To

- 1.The Sessions Judge, Mahila Court/Additional POCSO Court, Thoothukudi.
- 2.The Inspector of Police,
Srivaikundam Police Station,
Thoothukudi District.
- 3.The Superintendent, District Jail, Peraoorani, Thoothukudi District.
- 4.The Additional Public Prosecutor,
Madurai Bench of Madras High Court, Madurai.



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P. DHANABAL, J.

TM

ORDER
IN
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