



CRL OP(MD). No. 7748 of 2026

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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. 7748 of 2026

Periyamaruthu

...Petitioner/Accused No.1

Vs

State of Tamil Nadu rep. by
The Inspector of Police,
Jeyamangalam Police Station,
Jeyamangalam,
Theni District.
(Crime No.13 of 2025)

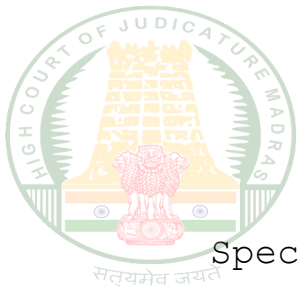
...Respondent/Complainant

For Petitioner:Mr.K.Muthurakkan
For Respondent:Mr.B.Nambi Selvan
Additional Public Prosecutor

PETITION FOR BAIL Under Sec.483 of BNSS

PRAYER :-to enlarge the petitioner on bail in
Spl.S.C.No.6 of 2026 on the file of the Principal

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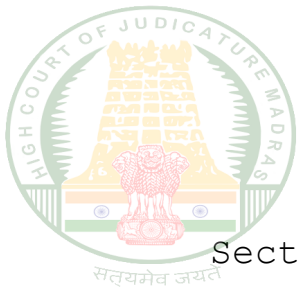
Special Court for Exclusive Trial of Cases under
POCSO Act, Theni, in connection with the Crime
No.13 of 2025 on the file of the respondent
Police.

ORDER : The Court made the following order :-

When the matter is taken up for hearing the
learned counsel for the petitioner submitted that
in the petition, the District of the respondent
police station has been wrongly mentioned as
"Tirunelveli District" instead of "Theni
District". Therefore, the said typographical
error has to be corrected.

2.Hence, Registry is directed to carry out
the above said correction in the main petition.

3.The petitioner/Accused No.1, who was
arrested and remanded to judicial custody on
26.02.2026 for the offences punishable under

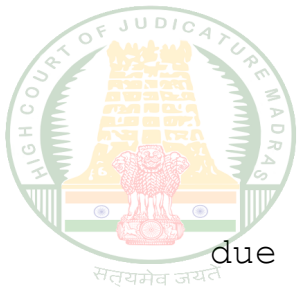


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Sections 87, 332(b), 65(1) and 127(4) of BNS, 2023, and Section 5(1) r/w 6 and 17 of POCSO Act, and Section 9 of the Prohibition of Child Marriage Act, in Crime No.13 of 2025 on the file of the respondent police, seeks bail.

4. The learned counsel for the petitioner would submit that the petitioner was already released on bail and since the petitioner has not turned up for the hearing, Non-Bailable Warrant (NBW) was ordered to be issued 23.02.2026 and the same was executed on 26.02.2026 and he is still in judicial custody. He would further submit that the petitioner is innocent and he has not committed any offence as alleged by the prosecution. Hence, he prays to grant bail to the petitioner.

5. The learned Additional Public Prosecutor appearing for the respondent would submit that

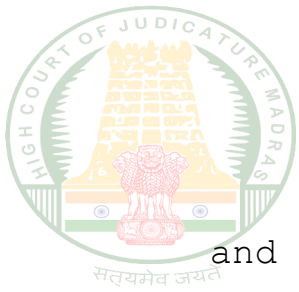


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due to non-appearance, the Non-Bailable Warrant was issued against the petitioner and the same was executed on 26.02.2026. He would further submit that the case in Spl.S.C.No.6 of 2026 on the file of the Principal Special Court for Exclusive Trial of Cases under POCSO Act, Theni, is pending trial. Hence, he strongly opposed to grant bail to the petitioner.

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

7. Considering the rival submissions made by the learned counsel on either side, nature of offence, and considering the fact that already the petitioner was granted bail and thereafter, due to non-appearance, NBW was issued and the case in Spl.S.C.No.6 of 2026 on the file of the Principal Special Court for Exclusive Trial of Cases under POCSO Act, Theni, is pending trial



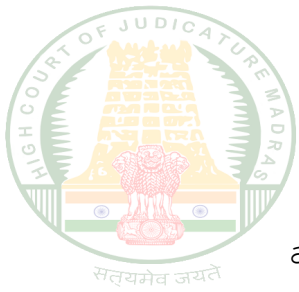
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and also considering the period of incarceration undergone by the petitioner from 26.02.2026, this Court is inclined to grant bail to the petitioner subject to the following conditions:

[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 Principal Special Court for Exclusive Trial of Cases under POCSO Act, Theni, and on further conditions that:

[b] the petitioner shall report before the Principal Special Court for Exclusive Trial of Cases under POCSO Act, Theni, on all working days at 10.30 a.m., until further orders.

[c] the petitioner shall not commit



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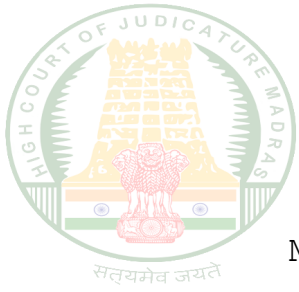
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any offence similar to the offence of which he/she is accused, or suspected, or of the commission of which he/she is suspected;

[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



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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 be registered under Section 269 BNS.

(P D B J)

21.04.2026

vsg

To

1.The Principal Special Court for Exclusive Trial of Cases under POCSO Act, Theni.

2.The Inspector of Police,
Jeyamangalam Police Station,
Jeyamangalam,
Theni District.

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.,

vsg

ORDER
IN
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