

Crl.O.P.(MD)No.9800 of 2026

BEFORE THE MADURAI BENCH OF MADRAS HIGH Court

(Criminal Jurisdiction)

Date : 05.06.2026

PRESENT

THE HONOURABLE MR. JUSTICE P. DHANABAL

CRL OP(MD). No. 9800 of 2026

Madasamy

...Petitioner

Vs

1.State of Tamil Nadu rep. by
The Inspector of Police,
All Women Police Station,
Madurai Town.
(Crime No.8 of 2024)

...Respondent/Complainant

2.XXXX

D/o Ganesan

... Respondent/Victim

(R2 has been impleaded as respondent in this case as per the order dated 21.05.2026)

For Petitioner : Mr.R.Balamuruganantham
Advocate.

For Respondent : Mr.G.Ganesh Kumar for R1
Government Advocate (Crl. Side)

PETITION FOR BAIL Under Sec.483 of BNSS

PRAYER :-

For Bail in Cr.No. 8 of 2024 on the file of the respondent police.

ORDER : The Court made the following order :-



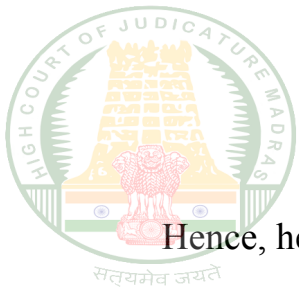
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The petitioner / Accused, who was arrested and remanded to judicial custody on 30.06.2024, for the offences punishable under Sections 342 and 506(ii) IPC and 376(3) IPC and Sections 5(1) r/w 6 and 4(2) of the POCSO Act, in Crime No.8 of 2024 on the file of the respondent police, seeks bail.

2. The case of the prosecution is that the petitioner running a shop. The victim used to go to his shop. While so, the petitioner locked the victim inside the shop and committed penetrative sexual assault. Hence, the case.

3. The learned counsel appearing for the petitioner would submit that the petitioner is innocent and he was falsely implicated in this case and he has not committed any offence as alleged by the prosecution. Investigation in this case has been completed, final report was filed and trial commenced. Hence, he prayed bail for the petitioner.

4. The learned Government Advocate (crl. Side) appearing for the respondent would submit that the offence are grave in nature. The petitioner locked the victim inside the shop and committed penetrative sexual assault upon her. Investigation has been completed and final report has also been filed before the concerned Court. The material witnesses have been examined.



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Hence, he vehemently opposed the grant of bail to the petitioner.

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5. As per the order of this court today the victim girl along with her mother present before this Court and stated that since marriage has been arranged to the daughter of the petitioner and his daughter requested her mother, they have no objection 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, considering the nature of charges levelled against the petitioner, the investigation has been completed, final report has been filed before the concerned Court and trial commenced, material witnesses have been examined, today as per the order of the Court the victim girl along with her mother present before this Court and stated that they have no objection to grant bail to the petitioner and considering the period of incarceration undergone by the petitioner, 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



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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, Special Court for POCSO Act Cases, Madurai, and on further conditions that:

[b] the petitioner shall report before the learned Sessions Judge, Special Court for POCSO Act Cases, Madurai, 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



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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)
05.06.2026

TM

To

- 1.The Sessions Judge, Special Court for POCSO Act Cases, Madurai
- 2.The Inspector of Police,
All Women Police Station,
Madurai Town. (Crime No.8 of 2024)
- 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.

TM

ORDER
IN
CRL OP(MD) No. 9800 of 2025

Date : 05.06.2026