



CRL OP(MD). No.9894 of 2026

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

( Criminal Jurisdiction )

Date : 04/06/2026

PRESENT

The HONOURABLE **MR. JUSTICE P. DHANABAL**

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Dharamavel @ Tharmavel,  
S/o.Moorthy,  
No.1/40, Middle Street,  
Vairavampatti,  
Manaparai Taluk,  
Trichy District..

... Petitioner/Sole Accused

Vs

The State of Tamilnadu Rep By,  
The Inspector of Police,  
Vaiyampatti Police Station,  
Trichy District.  
Cr.No.130/2026..

... Respondent/Complainant

For Petitioner : Mr.D.S.Haroon Rasheed,  
Advocate.

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

PETITION FOR BAIL Under Sec.483 of BNSS

PRAYER :-

C-58B. For Bail in Cr.No.130 of 2026 on the  
file of the respondent police.

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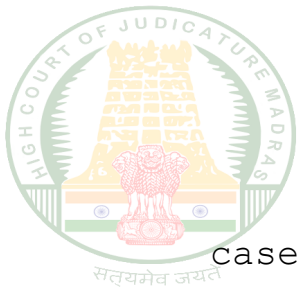
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ORDER : The Court made the following order :-

The petitioner/Sole accused, who was arrested and remanded to judicial custody on 05.04.2026 for the offences punishable under Sections 5(1) and 6(1) of POCSO Act, 2012 r/w Section 9 of Prohibition of Child Marriage Act, in Crime No. 130 of 2026 on the file of the respondent police, seeks bail.

2.The case of the prosecution is that the petitioner is aged about 26 years and the victim girl is aged about 17 years. Both are loved together and the petitioner married the victim girl and committed penetrative sexual assault on the victim girl. Hence, the complaint.

3.The learned counsel for the petitioner would submit that the petitioner is an innocent person and he was falsely implicated in this



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case. He has not committed any offence as alleged by the prosecution. The petitioner has been arrested and remanded to judicial custody on 05.04.2026. Hence, he prays to grant bail to the petitioner.

4.The learned Government Advocate (Crl. Side) appearing for the respondent Police would submit that the investigation is still pending and the statement of the victim was recorded under Section 183 of BNSS, 2023. He would further submit that the petitioner has no previous case. However, he opposed to grant bail to the petitioner.

5. This Court heard both sides and perused the materials available on record, including the statement of the victim recorded under Section 183 of BNSS, 2023.

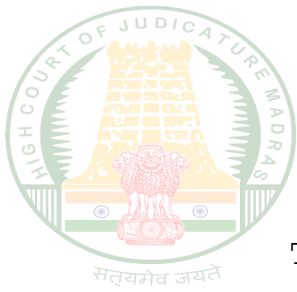


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6. Considering the rival submissions made by the learned counsel on either side, nature of the allegations levelled as against the petitioner and considering the facts that as the FIR has been registered on 25.03.2026, by this time material part of the investigation might have been completed the statement of the victim was recorded under Section 183 of BNSS, 2023, and the petitioner has no previous cases and also considering the period of incarceration undergone by the petitioner from 05.04.2026, 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 learned Special Court for POCSO Act Cases (Mahila Court),



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Trichy, and on further conditions that:

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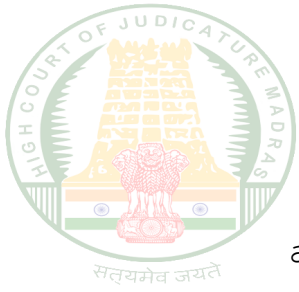
**[b] the petitioner shall report before the respondent Police daily at 10.30 a.m., until further orders.**

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



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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].

[g] If the accused thereafter absconds, a fresh FIR can be registered under Section 269 BNS.

(P D B J)  
04.06.2026

VSG



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- TO
- 1.The learned Special Court for POCSO Act Cases (Mahila Court), Trichy.
  2. The Superintendent, Central Prison, Trichy.
  - 3.The Inspector of Police,  
Vaiyampatti Police Station,  
Trichy District.
  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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