



Crl.O.P.(MD)No.10762 of 2026

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 12.06.2026

PRESENT

THE HONOURABLE MR. JUSTICE P. DHANABAL

CRL OP(MD). No. 10762 of 2026

Kavi @ Kavidasan

...Petitioner

Vs

State of Tamil Nadu rep. by
The Inspector of Police,
All Women Police Station,
Orathanadu, Thanjavur District.
(Crime No.13 of 2024)

...Respondent/Complainant

For Petitioner : Mr.V.Chandrapandi
Advocate

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

For Intervenor : Mr.R.Alagumani

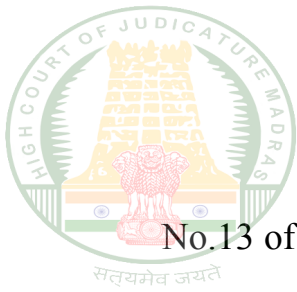
PETITION FOR BAIL Under Sec.483 of BNSS

PRAYER :-

For Bail in Cr.No. 13 of 2024 on the file of the respondent police.

ORDER : The Court made the following order :-

The petitioner / Accused, who was arrested and remanded to judicial custody on 13.08.2024, for the offences punishable under Sections 127(2), 118(1), 70(1), 351(3), 308(5), 76, 78, 54 of BNS and 67A of IT Act, in Crime



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No.13 of 2024 on the file of the respondent police, seeks bail.

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2. The case of the prosecution is that on 12.08.2024 the petitioner along with other accused persons gathered together and raped the victim by assaulting on her and also taken the cell phone and gold chain belonging to the victim girl. Hence the complaint.

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. The petitioner is in custody for about 2 years. Co-accused has been released on bail. 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 along with other accused persons committed gang rape upon the victim and subsequently, they escaped from the place of occurrence and they have been secured by a special team. He would further submit the investigation has been completed and final report has also been filed and now the case is pending in S.C.No.278 of 2024 on the file of the Principal Special Court for Exclusive



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Trial of Cases under POCSO Act, Thanjavur, for examination of further witnesses. Earlier the petitioner was granted interim bail. Thereafter it was cancelled. Since he was absconded during the trial process, the trial Court issued NBW. Thereafter, he was arrested. Hence, he opposed the grant of bail to the petitioner.

5.The learned counsel for the intervenor would submit that he has filed intervening application before the Registry. It is in SR stage. He would further submit that this accused along with other accused persons committed gang rape upon the victim girl. This petitioner was already granted interim bail with conditions. He has violated the conditions. Hence, on cancellation of bail application, the bail was cancelled. Thereafter, since he was absconded the trial Court issued the NBW. On NBW he was arrested. He is not law abiding citizen. If he is released on bail, again he will abscond and stall the trial. Hence, he strongly opposed the grant of 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



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either side, considering the nature of charges levelled against the petitioner,

already investigation has been completed and final report has also been filed before the trial Court, now the trial has been commenced and the case is pending in S.C.No.278 of 2024 on the file of the Special Court, already material witnesses have been examined and except this petitioner all other co-accused have also been released on bail, 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 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 **District and Sessions Judge, Principal Special Court for Exclusive Trial of Cases under POCSO Act, Thanjavur**, and on further conditions that:

[b] the petitioner shall report before the learned **District and Sessions Judge, Principal Special Court for Exclusive Trial of Cases under POCSO Act, Thanjavur**, 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



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commission of which he/she is suspected;

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[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 5560].

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

(P D B J)
12.06.2026

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To

1.The District and Sessions Judge, Principal Special Court for Exclusive Trial of Cases under POCSO Act, Thanjavur.

2.The Inspector of Police,
All Women Police Station,
Orathanadu, Thanjavur District. (Crime No.13 of 2024)

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3.The Superintendent, Central Prison, Trichy.

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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