

CRL OP(MD). No. 11614 of 2026

WEB COPY

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 19.06.2026

PRESENT

THE HONOURABLE MR. JUSTICE P. DHANABAL

CRL OP(MD). No. 11614 of 2026

Mahendra Gamanga

...Petitioner/sole Accused

Vs

State of Tamil Nadu rep. by
The Inspector of Police,
Alangulam All Women Police Station
Pudukottai District
Crime No.31 of 2025

...Respondent/Complainant

For Petitioner : Mr.R.Vignesh
Advocate.

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

PETITION FOR BAIL Under Sec.483 of BNSS
PRAYER :-

For Bail in Cr.No. 31 of 2025 on the file of the respondent police.

ORDER : The Court made the following order :-



CRL OP(MD). No. 11614 of 2026

WEB COPY

The petitioner/ sole Accused, who was arrested and remanded to judicial custody on 31.01.2026 for the offences punishable under Sections 5(l), 5(j)(ii)r/w.6(1) of POCSO Act and Sections 127(2), and 351 (2) of BNS in Crime No.31 of 2025 on the file of the respondent police, seeks bail.

2. The case of the prosecution is that defacto complainant and his family members while residing in the work place a stranger came there and trespassed into the house of the defacto complainant and had sexual intercourse with the victim on various occasions and also threatened her not disclose about the sexual assault to any one with dire consequences. While being so, on 27.11.2025 at about 11.00 p.m., the defacto complainant got tired and felt unconscious and she was admitted in the Government hospital and found that she was pregnant. Hence the case.



CRL OP(MD). No. 11614 of 2026

WEB COPY

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. He would further submit that he has been arrested and remanded to judicial custody on 31.01.2026. Therefore, prayed to grant bail for the petitioner.

4. The learned Government Advocate(Crl.Side) appearing for the respondent would submit that the accused persons has committed sexual assault on the victim due to which she became pregnant. He would further submit that one previous case is pending against the petitioner and hence, he strongly opposed to grant bail to the petitioner.

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

6. Considering the rival submissions made by the learned counsel on either side, nature of offence, and considering the fact



CRL OP(MD). No. 11614 of 2026

that investigation has been completed and though one previous case is pending against the petitioner that case was also disposed of and also 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 Mahila Court, Pudukottai and on further conditions that:

[b] the petitioner shall report before the trial Court daily at 10.30 a.m., until further orders;

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

[d] the petitioner shall not abscond either during investigation or trial;



CRL OP(MD). No. 11614 of 2026

WEB COPY

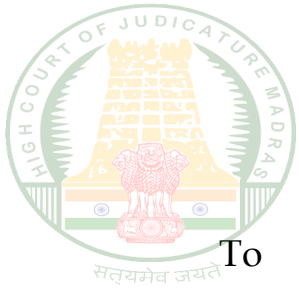
[e] the petitioner shall not directly or indirectly make any inducement, threat or promise to any person acquainted with the facts of the case so as to dissuade her from disclosing such facts to the Court or to any police officer or tamper with the evidence;

[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)
19.06.2026

aav



CRL OP(MD). No. 11614 of 2026

To

WEB COPY

- 1.The Mahila Court, Pudukottai
- 2.The Inspector of Police,
Alangulam All Women Police Station
Pudukottai District
3. The Superintendent, Central Prison, Trichy
- 4.The Additional Public Prosecutor,
Madurai Bench of Madras High Court, Madurai.



WEB COPY



CRL OP(MD). No. 11614 of 2026

P. DHANABAL, J

aav

ORDER
IN
CRL OP(MD) No. 11614 of 2026

Date : 19.06.2026