WEB COPY

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 04-11-2026

CORAM

THE HON'BLE MR. JUSTICE K.MURALI SHANKAR

CRL OP(MD) No. 25215 of 2026

CNR:{HCMD011577532026}

Gayathri

..Petitioner/
Accused

Vs

State Of Tamilnadu Rep By
The Inspector Of Police,
All Women Police Station,
Kumbakonam,
Thanjavur District.
Crime. No.55/2026

..Respondent/
Complainant

PETITION FOR BAIL Under Section 483 BNSS.

Prayer : For Bail in Crime No.55 of 2026 on the file of the Respondent Police.

For Petitioner(s) :Mr.S.Kasirajan,
Advocate

For Respondent(s) :Mr.C.Susikumar,
Government Advocate (Crl. Side)

ORDER

The petitioner / accused, who was arrested and remanded to judicial custody on 11.10.2026 for the offences punishable under Sections

https://www.mhc.tn.gov.in/judis

WEB COPY

11(1), 12, 17, 7, 8 of the Protection of Children from Sexual Offences (POCSO) Act and Section 75 of the Juvenile Justice (Care and Protection of Children) Act, 2015, in Crime No.55 of 2026, on the file of the respondent police, seeks bail.

2. The case of the prosecution is that the victim girl, aged about 16 years, left her house following a quarrel with her mother and went to her friend's house at Kumbakonam, where she stayed for about 15 days. During her journey, she came into contact with the accused Murugavel, an auto driver, and obtained his mobile number. Subsequently, the victim girl informed the said Murugavel that she was looking for a job. Murugavel introduced her to the petitioner, who was running a Karagattam dance troupe. Thereafter, the petitioner took the victim girl to various temples for Karagattam dance performances and insisted that she wear revealing costumes and smile while performing. Since the victim girl failed to smile, the petitioner allegedly assaulted her. It is further alleged that during the dance performances, the accused Babuji touched and kissed the victim girl and whenever she refused, he insisted upon doing so.

3. The learned counsel appearing for the petitioner would submit that the petitioner is innocent and she has not committed any offence as

https://www.mhc.tn.gov.in/judis

WEB COPY

alleged by the prosecution. He would further submit that the petitioner is in judicial custody from 11.10.2026.

4. The learned Government Advocate (Criminal Side) appearing for the respondent police has produced the copy of the statement recorded from the victim girl under Section 183(5) BNSS, wherein, she has stated about the alleged offence committed by the petitioner. He would submit that the victim girl is aged 16 years, that this Court dismissed the bail petition filed by the first accused in Crl.O.P.(MD)No.25089 of 2026 on 03.11.2026 and that the petitioner is not having any previous cases.

5. Considering the nature of the charges levelled against the petitioners and also the facts that the petitioner is in judicial custody from 11.10.2026 and that the petitioner is not having any previous cases, this Court is inclined to grant bail to the petitioner subject to the following conditions:

6. Accordingly, the petitioner is ordered to be released on bail on her executing a bond for a sum of **Rs.25,000/- (Rupees Twenty Five Thousand only)** with two sureties each for a like sum to the satisfaction of the learned Principal Special Court for Exclusive Trial of cases under

https://www.mhc.tn.gov.in/judis

WEB COPY

POCSO Act, Thanjavur, and on further conditions that:

a) the sureties shall affix their photographs and left thumb impression in the surety bond and the Sessions Judge / concerned court may obtain a copy of their Aadhar card or Bank Pass Book to ensure their identity;

b) the petitioner shall report before the respondent police daily at 10.30 a.m., for a period of one month and thereafter, as and when required for interrogation;

c) the petitioner shall not tamper with the evidence or witness either during investigation or trial;

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

e) On breach of any of the aforesaid conditions, the learned Sessions Judge / 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 is released on bail by the learned Sessions Judge / Trial Court himself as laid down by the Hon'ble Supreme Court in ***P.K.Shaji vs. State of Kerala [(2005)AIR SCW 5560];***

f) If the accused thereafter abscond, a fresh FIR can be registered under Section 269 BNS, 2023.

04-11-2026

CSM

https://www.mhc.tn.gov.in/judis

WEB COPY

To

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

2. Do through the Chief Judicial Magistrate, Thanjavur.

3. The Superintendent, Special Prison for Women, Trichy.

4. The Inspector Of Police, All Women Police Station, Kumbakonam Thanjavur District.

5. The Additional Public Prosecutor,
   Madurai Bench of Madras High Court,
   Madurai.

https://www.mhc.tn.gov.in/judis

WEB COPY

K.MURALI SHANKAR, J.
CSM

CRL OP(MD) No. 25215 of 2026

04-11-2026

https://www.mhc.tn.gov.in/judis