

**IN THE COURT OF DISTRICT AND SESSIONS JUDGE,
MAYILADUTHURAI.**

Present: Dr. L.S. Sathiyamurthy, M.A., M.L., Ph.D.,
District and Sessions Judge, Mayiladuthurai.
State of Tamil Nadu.

Thursday, this the 12th day of March 2026.

Crl.M.P. No. 347/2026

Povunraj, S/o. Venugopal ...Petitioner / Accused.

Vs

State through the Inspector of Police,
Kuthalam P.S in Cr. No.19/2026 ... Respondent/Complainant.

U/s. 329(4), 296(b), 75(1)(i), 351(2) of BNS.

This petition came up today for the hearing before me in the presence of Thiru. B. Boobalan, Advocate for the Petitioner and Tmt. A. Aruna on behalf of Public Prosecutor for the State and after careful consideration of the materials available on record and the submissions made on behalf of the parties, this court passed the following:

ORDER

1. This is a petition filed U/s. 483 of BNSS, 2023.

2. Heard, the learned counsel for the petitioner and the learned Public Prosecutor.

3. The learned counsel for the petitioner/Accused submitted that the respondent police has registered a case against the petitioner for the offences U/s. 329(4), 296(b), 75(1)(i), 351(2) of BNS. The petitioner was subsequently arrested on suspicion and remanded to judicial custody on 23.01.2026 and is in judicial custody for the past 48 days. The defacto complainant has given false complaint against the petitioner and he has no connection with this case. The petitioner is innocent and he did not commit any offences as alleged by the prosecution. Investigation is almost over. The petitioner is ready to abide by any conditions that would be imposed by this Court and prayed to grant bail to the petitioner.

4. The learned Public Prosecutor submitted that on 10.01.2026 at 03.00 PM the defacto complainant's daughter sleeping in her home, at that time the petitioner

trespassed into the defacto complainant's house and dragged her blanket, when she was shouted the petitioner sexually abused her and scolded her in filthy language, torn her clothes and criminally intimidated her before leaving the place. Hence, the case. Investigation is pending and objected to grant bail to the petitioner.

5. This court carefully considered the submission made by either side. The petitioner was arrested and remanded to judicial custody on 23.01.2026 for the alleged offence said to have took place on 10.01.2026. The learned counsel for the petitioner submitted that the petitioner is residing in the same street and he was not absconding, the police after enquiry arrested him after 13 days from the registration of the case. The records would go to show that there is no person injured and the learned counsel for the petitioner submitted that he abide by any conditions, he will not indulge in any activities and tampering with the witnesses. Considering all these aspects, this court is inclined to grant bail to the petitioner on conditions.

In the result, this petition is allowed. Consequently, the petitioner is ordered to be enlarged on bail on his executing a bail bond as defined in section 2(d) BNSS 2023 along with similar bail bonds from two persons each for a sum of Rs. 25,000/- to the satisfaction of the learned Judicial Magistrate No.1, Mayiladuthurai for undertakings his/her appearance for further proceedings, and with other conditions that,

(i) the sureties shall affix their photographs and Left Thumb Impression in the surety bond and the learned Magistrate may obtain a copy of their Aadhar Card or Bank Passbook to ensure the identity.

(ii) the petitioner shall report before the Respondent police station daily at 10.00 A.M for a period of 30 days.

(iii) The petitioner should co-operate for the investigation and should not threaten the witnesses.

(iv) the petitioner shall not abscond either during investigation or trial.

(v) the petitioner shall not tamper with evidence or witness either during investigation or trial.

(vi) On breach of any of the aforesaid conditions, the 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 Trial Court himself as laid down by the Hon'ble Supreme Court in *P.K.Shaji/Vs/State of Kerala, [(2005) AIR S.C.W.5560]*.

(vii) If the accused thereafter abscond, a fresh FIR can be registered under Section 269 of BNS.

Pronounced by me in the Open Court on the 12th day of March, 2026.

District and Sessions Judge,
Mayiladuthurai.

Copy to

1. The Judicial Magistrate No.1, Mayiladuthurai.
2. The Inspector of Police, Kuthalam P.S
3. The Petitioner through his counsel.