



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 07-07-2026

CORAM

THE HON'BLE MR.JUSTICE C.KUMARAPPAN

CRL OP No. 17405 of 2026

Vinoth
S/o. Soundar,
No.551, Kollakottai Village,
Malairaddiyur Post,
Beenmgulam,
Tirupattur District.

..Petitioner(s)

Vs

State Represented by Inspector of Police
AWPS, Hosur,
Crime No.48 of 2026.

..Respondent(s)

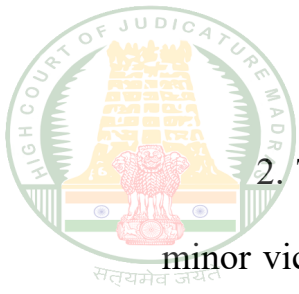
PRAYER : Criminal Original Petition filed under Section 483 of Bharatiya Nagarik Suraksha Sanhita, 2023, to enlarge the petitioner on bail concerned in Crime No.48 of 2026 on the file of the Inspector of Police, AWPS Hosur on such terms and conditions as this Honble Court may deem fit and proper in the circumstances of the case and thus redner Justice.

For Petitioner(s): Mr.R.Parthiban

For Respondent(s): Mr.S.Yogaraja Sekar,
Counsel for Government of Tamil Nadu
(Criminal Side)

ORDER

The petitioner, who was arrested and remanded to judicial custody on 16.05.2026 for the alleged offence under Sections 87, 137(2) of BNS and 5(1), 5(n) r/w 6(1) of POCSO Act, in Crime No.48 of 2026 on the file of the respondent police, seeks bail.



2. The allegation against the petitioner is that the petitioner abducted the minor victim and committed aggravated penetrative sexual assault on her, who is none other than the victim sister's husband. Hence, the present case has been registered against the petitioner.

3. The learned counsel appearing for the petitioner submitted that the petitioner was arrested and remanded to judicial custody since 16.05.2026 and that the age of the victim is 17 years. He further submitted that he has been falsely implicated in this case and has not committed any offence as alleged by the prosecution. Hence, he prays for grant of bail to the Petitioner.

4. Per contra, the learned Government Advocate (Criminal Side) appearing for the Respondent Police reiterated the prosecution case and has produced the 183 BNSS statement given by the victim girl recorded by the learned Judicial Magistrate, No.2, Hosur, on 29.05.2026. Hence, he opposed the grant of bail to the Petitioner.

5. I have given my anxious consideration to either side submissions and perused the materials available on record.

6. From the submissions made by the learned counsel on either side and taking into consideration the long incarceration of the petitioner since



16.05.2026, though the allegations against the petitioner are serious in nature, a perusal of the statement of the victim recorded under section 183 of BNSS, reveals that she has not implicated the petitioner in any of the POCSO offences.

Considering the said statement and the fact that the further custodial interrogation of the petitioner is not required, this Court is inclined to enlarged him on bail on certain conditions.

7. Accordingly, the petitioner is ordered to be released on bail on his 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 **Special Court for POCSO Court, Krishnagiri**, and on further conditions that:

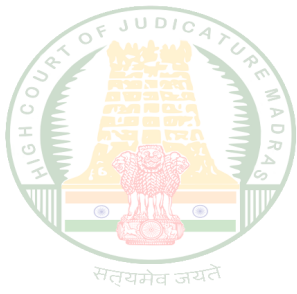
[a] the sureties shall affix their photographs and Left Thumb Impression in the Application for Surety ship [Judicial Form No.46 annexed to 'The Criminal Rules of Practice, 2019']. The learned Magistrate shall obtain a copy of any one of the identity proofs to ensure their identity;

[b] the petitioner shall report before the respondent police daily at 10.30 a.m. until further orders;

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

[d] the petitioner shall not tamper with the evidence or witness either during investigation or trial;

[e] On breach of any of the aforementioned conditions, the learned Magistrate/Trial Court is entitled to pass appropriate orders against the petitioner in accordance with



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law as if the aforementioned 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)13 SCC 283]**;

[f] If the accused thereafter absconds, a fresh FIR can be registered under Section 269 of B.N.S.

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DRL

Note:

1. Registry is directed to forthwith upload this order in the Official Website of this Court.

2. All concerned to act on this order being uploaded in Official Website of this Court without insisting on certified hard copies. To be noted, this order when uploaded in the official website of this Court will be watermarked and will also have a QR code.

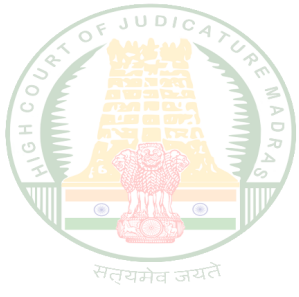
To

1.The Special Court for POCSO Court,
Krishnagiri.

2.The Inspector of Police
AWPS, Hosur,

3.The Superintendent,
Sub Jail, Dharmapuri.

4.The Public Prosecutor,
High Court, Madras.



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C.KUMARAPPAN, J.

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