



WEB COPY

CRL OP No. 18006 of 2



IN THE HIGH COURT OF JUDICATURE AT MADRAS

**DATED: 13-07-2026**

CORAM

**THE HON'BLE MR.JUSTICE C.KUMARAPPAN**

**CRL OP No. 18006 of 2026**

Jayasankar  
S/o.Mani,  
No.494, Bajanai Kovil Street,  
Sirmur Village, Arani Taluk,  
Tiruvannamalai District - 632 314.

..Petitioner(s)

Vs

The State rep by the Inspector of Police  
All Women Police Station,  
Arani Taluk,  
Tiruvannamalai District.  
Crime no.39 of 2025.

..Respondent(s)

**Prayer:** Criminal Original Petition filed under section 483 of BNSS, 2023 to enlarge the petitioner on bail in connection with the Crime no.39 of 2025 pending investigation on the file of the respondent.

For Petitioner(s): Mr. G.Jeremiah

For Respondent(s): MR.S.YOGARAJA SEKAR,  
GOVT.ADVOCATE (CRL.SIDE )

### **ORDER**

The petitioner, who was arrested and remanded to judicial custody on 17.11.2025 for the alleged offence under Sections 64(2)(m) of BNS read with Section 5(m) and 6(1) of POCSO Act altered as Section 75(1)(i) read with 75(2) of BNS and Section 9(1), (n) read with Section 10 of POCSO Act and Section



75 of J.J.Act, in Crime No.39 of 2025 on the file of the respondent police, seeks bail.

WEB COPY

2. The case of the prosecution is that the petitioner, who is a step father of the victim girl, has molested the minor victim girl. Hence, this case.

3. The learned counsel appearing for the petitioner submitted that this is the third bail application filed by the petitioner. He further submitted that the petitioner was arrested and remanded to judicial custody on 17.11.2025. He further submitted that the petitioner has been falsely implicated in the present case and that he has not committed any offence as alleged by the prosecution. He further submitted that the investigation has been completed and the charge sheet has also been filed. 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 submitted that there was a matrimonial discord between the petitioner and the victim's mother. He further produced the statement recorded under Section 183 of BNSS before this Court. Relying upon the said statement, he opposed to grant bail to the petitioner.

5. I have given my anxious consideration to either side submissions and



perused the materials available on record.

WEB COPY

6. Considering the facts and circumstances of the case; taking note of the submission made by the learned Government Advocate (Crl.Side); though the case has been registered for the offence of aggravated penetrative sexual assault, the petitioner was remanded in judicial custody since 17.11.2025. On a perusal of the statement recorded under Section 183 of BNSS, this Court is unable to find any material to prima facie attract the offence of aggravated penetrative sexual assault. Though certain serious allegations have been made against the petitioner, considering the period of long incarceration and the charge sheet has also been filed, this Court is of the firm view that the further custodial interrogation of the petitioner is not required for the purpose of investigation. Hence, this Court is inclined to grant bail to the petitioner, subject to 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 Exclusive Trial of cases under POCSO Act, Tiruvannamalai**, and on further conditions that:

[a] the sureties shall affix their photographs and Left Thumb Impression in the Application for Surety slip



WEB COPY



[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 stay at Virudhunagar and report before the Srivilliputhur Town Police Station daily at 10.30 a.m., until further orders. No relaxation petition shall be entertained within a period of 60 days;**

[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 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.

DRL

**13-07-2026**



**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 Exclusive Trial of Cases under POCSO Act, Tiruvannamalai.

2. The Inspector of Police  
All Women Police Station,  
Arani Taluk,  
Tiruvannamalai District.

3. The Superintendent,  
Central Prison, Vellore.

4. The Public Prosecutor,  
High Court, Madras.



WEB COPY

CRL OP No. 18006 of 2



**C.KUMARAPPAN, J.**

**DRL**

**CRL OP No. 18006 of 2026**

**13-07-2026**