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CRL OP No. 20066 of 2



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 27-07-2026

CORAM

THE HON'BLE MR.JUSTICE C.KUMARAPPAN

CRL OP No. 20066 of 2026

R.Ashok Kumar

..Petitioner

Vs

State Rep. by The Station House Officer,
Town Police Station, Karaikal District.
Crime No.182/2025

..Respondent

PRAYER : Criminal Original Petition filed under Section 483 of Bharatiya Nagarik Suraksha Sanhita, 2023, to enlarge the petitioner on bail in Crime No.182 of 2025 on the file of the Respondent Police, pending investigation.

For Petitioner:

Mr.M.L.Satish Kumar

For Respondent:

Mrs.G.Djearany Omprakash
Government Advocate (Puducherry)

ORDER

The petitioner, who was arrested and remanded to judicial custody on 14.06.2025 for the alleged offences under Sections 64(1), 67(1)(A) of the IT Act and Section 6 of the POCSO Act @ into Section 6 of POCSO Act and Section 67A and 67B of Information Technology Act, 2000 in Crime No.182 of 2025 on the file of the respondent police, seeks bail.

2. The case of the prosecution is that the defacto complainant lodged a complaint stating that on 18.08.2024, at the defacto complainant's house, the



accused committed penetrative sexual assault against the defacto complainant's mother. In the same course of transaction, the accused captured the

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aforementioned illegal acts on video and photos using his mobile phone. Subsequently, on 11.06.2025, the accused transmitted these obscene videos and photos from his mobile phone to the defacto complainant's mobile phone via WhatsApp. It is further alleged that the accused was in regular contact with a minor girl, who is his neighbor, both in person and through telephonic conversations. During the course of their relationship, on various dates, the accused took the victim child from Karaikal on his motorcycle under the guise of love to lodges in Velankanni and Mayiladuthurai, where he committed aggravated penetrative sexual assault against the victim child, knowing her to be a minor below 18 years of age. In the same course of transaction, the accused also recorded obscene videos and photos of the victim child on his mobile phone.

3. The learned counsel for the petitioners would submit that the petitioners are innocent and have been falsely implicated in this case. He would further submit that the petitioners have been in judicial custody since 14.06.2025 and is ready to abide by any conditions that may be imposed by this Court. Hence, he prayed for the grant of bail.



4. The learned Government Advocate (Crl.Side) appearing for the respondent, while opposing the grant of bail to the petitioner, reiterated the prosecution case and on instructions, submitted that the statement of the victim under section 183 of BNSS has been recorded.

5. I have given anxious consideration to the submissions made by the learned counsel on either side.

6. On perusing the statement recorded under Section 183 of the BNSS, it is observed that there are serious allegations against the petitioner. However, considering the period of incarceration undergone by the petitioner since 14.06.2025 and in view of the further fact that the trial is currently at the stage of examination of the investigating officer, this Court is inclined to enlarge the petitioner on bail, 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 for a like sum each to the satisfaction of the **learned District Special Judge, Karaikal**, and subject to the following conditions:

[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



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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 Trial Court concerned twice a day at 10.30 a.m. and 05.30 p.m., until further orders;

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

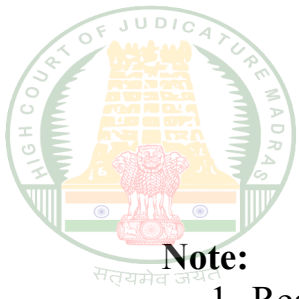
[d] the petitioner shall not tamper with the evidence or witness either during investigation or trial;

[e] on breach of any of the aforementioned conditions, the learned Magistrate/Trial Court is entitled to take appropriate action against the petitioner in accordance with law as if the conditions had been imposed and the petitioner released on bail by the learned Magistrate/Trial Court itself, as laid down by the Hon'ble Supreme Court in ***P.K.Shaji vs. State of Kerala [(2005)13 SCC 283]***;

[f] if the petitioner thereafter abscond, a fresh FIR may be registered under Section 269 of the Bharatiya Nyaya Sanhita, 2023.

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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 District Special Judge, Karaikal.
2. The Special Sub Jail, Karaikal.
3. The Station House Officer,
Town Police Station, Karaikal District.
4. The Public Prosecutor, High Court of Madras.



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C.KUMARAPPAN, J.

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