WEB COPY

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 30-07-2026

CORAM

THE HON'BLE MR.JUSTICE C.KUMARAPPAN

CRL OP No. 20530 of 2026

Gopinath

..Petitioner

Vs

The State Rep. by
The Inspector of Police,
Marandahalli Police Station,
Dharmapuri District.
Crime No.125/2026.

..Respondent

PRAYER : Criminal Original Petition filed under Section 483 of Bharatiya Nagarik Suraksha Sanhita, 2023, to enlarge the petitioner on bail in Crime No.125 of 2026 on the file of Inspector of police, Marandahalli Police Station, Dharmapuri District.

For Petitioner: Mr.M.R.Elavarasan

For Respondent: Mr.S.Yogaraja Sekar
Counsel for Government of Tamilnadu
(Criminal Side)

ORDER

The petitioner, who was arrested and remanded to judicial custody on 05.06.2026 for the alleged offences under Sections 11(iv), 12, 16, 17 of POCSO Act, in Crime No.125 of 2026 on the file of the respondent police, seeks bail.

2. The case of the prosecution is that when the victim child was studying in the 11th standard, the accused followed her sexually harassed her and

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

WEB COPY

compelled her to love him. On 10.06.2026 at about 4:30 PM, when the victim child returned home from school, the accused, along with his friends, followed her and sexually harassed her repeatedly.

3. The learned counsel for the petitioner would submit that the petitioner is an innocent and has been falsely implicated in this case. He would further submit that the petitioner has been in judicial custody since 05.06.2026 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, except for alleged intimidation, there is no *prima facie* material in respect of the POCSO Act. Hence, considering the period of incarceration undergone by the petitioner since 05.06.2026 and the absence of any criminal antecedents, this

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

WEB COPY

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 Special Court for Exclusive Trial of Cases under POCSO Act, Dharmapuri,** 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 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 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];***

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

WEB COPY

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

30-07-2026

NSL

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 learned Special Court for Exclusive Trial of Cases under POCSO Act, Dharmapuri.

2. The District Jail, Dharmapuri.

3. The Inspector of Police, Marandahalli Police Station,
Dharmapuri District.

4. The Public Prosecutor, High Court of Madras.

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

WEB COPY

C.KUMARAPPAN, J.

NSL

CRL OP No. 20530 of 2026

30-07-2026

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