



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 26-12-2025

CORAM

THE HONOURABLE MR.JUSTICE P. DHANABAL

CRL OP No. 35871 of 2025

Alexander
S/o.Arasan,
No.1/195, a Vadakuppam,
Eramanur, Cuddalore District.

Petitioner(s)

Vs

The State of Tamil Nadu,
The Inspector of Police,
All Women Police Station,
Virudhachalam, Cuddalore District.
Cr.No.55 of 2025

Respondent(s)

PRAYER:-The Criminal Original Petition is filed under Section 483 of B.N.S.S., praying to grant bail to the petitioner/Accused in Cr.No.55 of 2025 on the file of the respondent police.

For Petitioner(s): Mr.R.Raji

For Respondent(s): Mr.S.Vinoth Kumar
Government Advocate (Crl.Side)

ORDER

The petitioner / Accused, who was arrested and remanded to judicial custody on 03.11.2025 for the offence punishable under Sections 296 (b), 115



(2), 351(2) of BNS, 2023 r/w. 5(n), 7 and 8 of POCSO Act on the file of the respondent police, seeks bail.

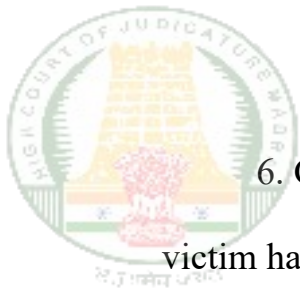
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2. The case of the prosecution is that the accused had committed sexual assault with the defacto complainant's daughter. Hence the case.

3. The learned counsel for the petitioner would contend that the due to matrimonial dispute, false complaint had lodged against the petitioner and the respondent police have registered a false case against the petitioner for the offences punishable under Sections 296 (b), 115 (2), 351(2) of BNS, 2023 r/w. 5(n), 7 and 8 of POCSO Act. The petitioner is an innocent and he is nothing to do with the alleged offences. He is in judicial custody from 03.11.2025. Therefore prayed to grant bail to the petitioner.

4. The learned Government Advocate (Criminal Side) would submit that the accused had committed sexual assault with the defacto complainant's daughter. Further, the statement of the victim is recorded and the investigation is completed and the case has been taken on file by the Special Court, Cuddalore. Hence, he opposed for granting bail to the petitioner.

5. Heard both sides and perused the materials available on record.



6. Considering the nature of offences and the fact that the statement of the victim has been recorded and investigation was completed and the case has been taken on file by the Session Judge, Special Court for Exclusive Trial Cases under POCSO Act, Cuddalore and further, taking note of the period of incarceration undergone by the petitioner, this Court is inclined to grant bail to the petitioner, subject to the following conditions:-

[a] Accordingly, the petitioner is ordered to be released on bail on condition to execute a bond for a sum of Rs.10,000/- (Rupees Ten Thousand only) with two sureties each for a like sum to the satisfaction of the learned **Session Judge, Special Court for Exclusive Trial Cases under POCSO Act, Cuddalore** and on further conditions that:

[b] the petitioner shall report before the respondent police daily at 10.00 a.m. until further orders;

[c] the petitioner shall not contact the victim at any point of time and shall not commit any offence similar to the offence of which he is accused, or suspected, or of the commission of which he is suspected;

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

[e] the petitioner shall not directly or indirectly make any inducement, threat or promise to any person acquainted with the facts of the case so as to dissuade him from disclosing such facts to the Court or to any police officer or tamper with the evidence;



[f] On breach of any of the aforesaid conditions, the learned Judicial Magistrate/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 learned Magistrate/Trial Court himself as laid down by the Hon'ble Supreme Court in P.K.Shaji vs. State of Kerala [(2005)AIR SCW 5560].

[g] If the accused thereafter absconds, a fresh FIR can be registered under Section 269 B.N.S.2023.

26-12-2025

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Index:Yes/No

Speaking/Non-speaking order

Internet:Yes

Neutral Citation:Yes/No

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 official website of this Court will be watermarked and will also have a QR code.



To:-

1.The Session Judge,
Special Court for Exclusive Trial Cases under POCSO Act,
Cuddalore.

2.The State of Tamil Nadu
The Inspector of Police,
All Women Police Station,
Virudhachalam, Cuddalore District

3.The Public Prosecutor,
High Court of Madras.



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P.DHANABAL J.
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