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CRL OP No. 437 of 2026



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 09-01-2026

CORAM

THE HONOURABLE MR.JUSTICE K.RAJASEKAR

CRL OP No. 437 of 2026

Sakthivel

S/o. Ramesh, No.181, Mampakkam,
Kurumberi Post, Tirupathur District

Petitioner

Vs

The State represented by
The Inspector of Police,
Tirupathur Taluk Police Station,
Tirupathur District.
Crime No.469 of 2025

Respondent

PRAYER: Criminal Original Petition filed under Section 483 of BNSS, 2023, to enlarge the petitioner on bail in Crime No.469 of 2025 on the file of the respondent police.

For Petitioner(s): Mr.C.D.Sugumar
For Respondent(s): Mr.A.Gopinath, GA (crl.side)

ORDER

The petitioner, who was arrested and remanded to judicial custody on 23.11.2025 for the offences punishable under Sections 5(1) & 6 of POCSO Act, 2012, in Crime No.469 of 2025, registered on the file of the respondent police, seeks bail.



2. The allegation against the petitioner is that petitioner herein is aged about 20 years. Under the pretext of marrying the victim girl who is aged about 16 years, kidnapped her and committed aggravated penetrative sexual assault. Hence complaint was lodged and the petitioner was arrested.

3. Learned counsel for the petitioner submitted that the petitioner is aged about 20 years and he is in adolescent love and he further submitted that the petitioner herein is in custody from 23.11.2025 and he prays for grant of bail to the petitioner.

4. The learned Government Advocate (Crl. Side) appearing for the respondent reiterated the prosecution case and submitted that the petitioner kidnapped the minor girl to Salem and also committed sexual assault. He further submitted that the case is in investigation stage. Hence, he opposes to grant bail to the petitioner

5. Heard both sides and perused the materials available on record including the First Information Report.

6. This Court has gone through the statement recorded from the victim girl. Considering the age of the victim and further the victim girl also stated that there is no sexual assault committed on her and that the case is in investigation



stage, this Court is inclined to grant bail with certain conditions.

7. Accordingly, the petitioner is ordered to be released on bail on his executing a bond for a sum of Rs.20,000/- (**Rupees Twenty Five Thousand only**) with two sureties each, for a like sum to the satisfaction of the learned **Judicial Magistrate Court No.2, Thirupathur** and on further conditions that:

[a] the sureties shall affix their photographs and Left Thumb Impression in the surety bond and the Magistrate may obtain a copy of their Aadhar card or Bank pass Book to ensure their identity;

[b] the petitioner shall report before the Trial Court daily at 10.30 a.m., for a period of three weeks and thereafter as and when required for interrogation.

[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 aforesaid conditions, the learned 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];

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

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Neutral Citation:Yes/No



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K.RAJASEKAR J.

gv

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 Judicial Magistrate Court No.2, Thirupathur
- 2.The Inspector of Police,
Tirupathur Taluk Police Station, Tirupathur District.
- 3.The Superintendent,
Sub-Jail, Tirupathur,
Tirupathur District
- 4.The Public Prosecutor,
High Court, Madras.

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