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Crl.O.P.No.462 of 2026

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 21-01-2026

CORAM

THE HONOURABLE MR JUSTICE K. RAJASEKAR

CRL OP NO.462 of 2026

Elavarasan

... Petitioner/ Accused

Vs

The State rep. by,
The Inspector of Police,
KVR Nagar All Women Police Station,
Tiruppur City.
(Crime No.67 of 2025)

... Respondent

PRAYER : Criminal Original Petition filed under Section 483 of Bharatiya
Nagarik Suraksha Sanhita, 2023, to grant bail to the petitioner/accused in
Crime No.67 of 2025 on the file of the respondent police.

For Petitioner(s) : Mr. Deepanuday

For Respondent(s) : Mr. A. Gopinath
Government Advocate (Crl. Side)

ORDER



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The petitioner, who was arrested and remanded to judicial custody on 05.11.2025 for the offences punishable under Sections 5(l), 5(n), 5(j)(ii) and 6 of the Protection of Child from Sexual Offences Act, 2012 r/w. Sections 296(b), 115(2), 351(2) of BNS in Crime No.67 of 2025, registered on the file of the respondent police, seeks bail.

2. The allegation against the petitioner herein is that, while he was working in a private company, developed a relationship with the victim girl, who is aged about 15 years and taking advantage of her age, the petitioner herein had committed penetrative sexual assault continuously, thereby the victim girl become pregnant; that while the parents of the victim girl came to know about the same, the victim girl in order to save the petitioner herein gave a false name and identification of a person from Sivagangai; that thereafter, complaint was lodged before the respondent police, a case was registered and subsequently, after investigation the petitioner herein was arrested.

3. The learned counsel appearing for the petitioner submitted that the petitioner is aged about 19 years and due to his adolescence affair with the victim girl, he has been falsely implicated in this case and in judicial



custody since 05.11.2025; and that the petitioner is ready to abide by any conditions that may be imposed by this Court and sought for bail to the petitioner.

4. The learned Government Advocate (Crl. Side) appearing for the respondent while opposing the bail to the petitioner reiterated the prosecution case and submitted that the statement of the victim girl has been recorded, in which she has added her father as one of the accused, who also committed penetrative sexual assault on her and also stated the act of the petitioner herein; that the pregnancy was also aborted; and that the investigation of this case is pending.

5. I have considered the submissions made on both sides and perused the materials available on record, including the statement of the victim girl, which reveals that the victim girl has given contradictory facts in her statement in order to save the petitioner herein.

6. Considering the above facts, the age of the petitioner herein and the period of incarceration undergone by the petitioner, this Court is inclined to grant bail to the petitioner 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 Thousand only)** with **two sureties each**, for a like sum to the satisfaction of the **Court of Sessions, Magalir Neethi Mandram, (Fast Track Mahila Court), Tiruppur** and on further conditions that:

[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., for a period of four weeks and thereafter, as and when required for interrogation. It is made clear that the petitioner shall not enter into jurisdictional limit of the police station in which victim is residing and he shall not contact the victim girl in any manner;

[c] 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**



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

21.01.2026

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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 Sessions Judge,
Court of Sessions, Magalir Neethi Mandram,
(Fast Track Mahila Court), Tiruppur.
2. The Inspector of Police,
KVR Nagar All Women Police Station,
Tiruppur City.
(Crime No.67 of 2025)

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3. The Superintendent,
Central Prison, Coimbatore.

4. The Public Prosecutor,
High Court of Madras.

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