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CRL OP No. 376 of 2026



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 09-01-2026

CORAM

THE HONOURABLE MR.JUSTICE K.RAJASEKAR

CRL OP No. 376 of 2026

1. S.Rajan
S/o. Subramaniyan, 170, Dr,Ambethkar
Road, Gandhi Nagar, Velandipalayam,
Coimbatore - 641 025.

Petitioner(s)

Vs

1. The State Rep.by, The Inspector of
Police,
All Women Police Station - Central,
Coimbatore City, Coimbatore District.
Cr.No.54/2025.

Respondent(s)

PRAYER

To enlarge the petitioner on bail in Cr.No.54/2025 on the file of the respondent police.

For Petitioner(s): K.Prabhakaran

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

ORDER

The petitioner, who was arrested and remanded to judicial custody on 12.11.2025, for the alleged offence punishable under Section 7 r/w. 8 of Protection of Child from Sexual Offences Act, 2012 and section 127(2) of BNS, in Crime No.54 of 2025, on the file of the respondent police, seeks bail.



2. The allegation against the petitioner is that, while attending his civil works in the school, the petitioner touched the private part of the victim girl when she was passing near the restroom, thereby committing sexual assault. Hence the case has been registered.

3. The learned counsel appearing for the petitioner submitted that this is not a case of penetrative sexual assault and that the petitioner has been in custody since 12.11.2025 and is not having any previous case. Hence, he prays to grant bail to the petitioner.

4. The learned Government Advocate (Criminal Side) appearing for the respondent Police reiterated the prosecution case and submitted that the petitioner is not having any previous case and the investigation in this case is pending. Hence, he opposed to grant bail to the him.

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

6. Considering the nature of the allegation and the fact that the petitioner has been incarcerated since 12.11.2025 and that this is not a case of penetrative sexual assault, this Court is inclined to grant bail to the petitioner.



7. Accordingly, the petitioner is ordered to be released on bail on his executing a bond for a sum of **Rs.15,000/- (Rupees Fifteen Thousand only)** with two sureties, for a like sum to the satisfaction of the *learned Principal Special Court for Exclusive Trial of Cases under POCSO Act, Coimabatore*, 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 respondent police daily at 10.30 a.m., for a period of four weeks.

[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];

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

09-01-2026

Mpa

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



To

1.The Principal Special Court for Exclusive Trial of Cases under POCSO Act,
Coimabatore.

1.The State Rep.by, The Inspector of
Police,
All Women Police Station - Central,
Coimbatore City, Coimbatore District.
Cr.No.54/2025.

3.The Superintendent,
Central Prison, Coimbatore.

4.The Public Prosecutor,
High Court, Madras.



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K.RAJASEKAR J.
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