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CRL OP No. 1461 of 2026



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 23-01-2026

CORAM

THE HONOURABLE MR.JUSTICE K.RAJASEKAR

CRL OP No. 1461 of 2026

1. Bharathkumar
S/o.Udhayakumar, No. 2/458,
M.G.R.Street, Alanthur, Palavedu,
Ambattur , Thiruvallur.

Petitioner(s)

Vs

1. State, Rep. by The Inspector of
Police
All Women Police Station, Pattabiram,
Avadi District. Crime No. 25/2025.

Respondent(s)

PRAYER

To enlarge the petitioner on bail in Crime No. 25/2025 on the file of the Inspector of Police, All Women Police Station, Pattabiram , Avadi District on such terms and conditions as this Honble Court.

For Petitioner(s): Mr.P. Chandra Sekar

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

ORDER

The petitioner, who was arrested and remanded to judicial custody on 15.12.2025 for the alleged offence punishable under Section 87 of BNS Act and 5(l), r/w. 6(l) of Protection of Child from Sexual Offences Act, 2012, in Crime No.25 of 2025 on the file of the respondent police, seeks bail.



2. The allegation against the petitioner is that the petitioner herein is residing near the school where the victim girl aged about 15 years was studying and petitioner stalked her with some time and thereafter on the date of occurrence, he took her to his house and forcibly committed aggravated penetrative sexual assault. Hence, the case was registered and the petitioner was arrested.

3. Learned counsel appearing for the petitioner submitted that the petitioner is aged about 18 years and it is not a case of aggravated penetrative sexual assault and it is a false accusation and the petitioner is in judicial custody since 15.12.2025. Hence, he prayed to grant bail to the petitioner.

4. Learned Government Advocate (Crl.Side) appearing for the respondent reiterated the prosecution case and submitted that the petitioner herein is aged about 18 years and medical examination also concluded. However, opposed to grant bail to the petitioner.

5. I have gone through the statement recorded from the victim girl and connected materials, and it revealed that the petitioner has forcibly committed penetrative sexual assault on the victim girl after taking her to his house and further the petitioner herein is in judicial custody from 15.12.2025 and the petitioner is also aged about 18 years, hence, this Court is inclined to grant bail



to the petitioner with certain conditions.

6. 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, for a like sum to the satisfaction of the *learned Special Court for Exclusive Trial of Cases under POCSO Act, Thiruvallur*, 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 three 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.

23-01-2026

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 Special Court for Exclusive Trial of Cases under POCSO Act,

Thiruvallur.

2.State, Rep. by The Inspector of Police
All Women Police Station, Pattabiram,
Avadi District. Crime No. 25/2025.

3.The Superintendent,
Central Prison, Puzhal.

4.The Public Prosecutor,
High Court, Madras.



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K.RAJASEKAR J.
mpa

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