



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 28-01-2026

CORAM

THE HONOURABLE MR.JUSTICE K.RAJASEKAR

CRL OP No. 1790 of 2026

V.Nandakumar

Petitioner(s)

Vs

The State Represented by The Inspector
of Police,
Bommidi Police Station, Dharmapuri
District. Crime No. 197 of 2025.

Respondent(s)

PRAYER Criminal Original Petition filed under Section 483 of BNSS, to the petitioner in Crime No.197 of 2025 on the file of the respondent police.

For Petitioner(s): Mr.J.Bharathi Raja

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

ORDER

The petitioner, who was arrested and remanded to judicial custody on 25.12.2025 for the offences punishable under Sections 7 & 8 of POCSO Act, in Crime No.197 of 2025 on the file of the respondent police, seeks bail.

2.The allegation against the petitioner is that the petitioner was running a



stationery shop near the school, and while the victim girl went there to purchase a world map, the petitioner allegedly touched her inappropriately. Hence, this case.

3. The learned counsel appearing for the petitioner submitted that the petitioner is an innocent person and he has been falsely implicated in this case. He further submitted that the petitioner's family and the victim's family had dispute with regard to previous enmity and that the allegations are false and in any case, the petitioner is in custody from 25.12.2025 and that he is ready to abide by any stringent condition that may be imposed by this Court. Hence, he prayed for grant of bail to the petitioner.

4. The learned Government Advocate (Crl.Side) for the respondent police reported that the victim is aged 13 years and the petitioner is 24 years old and the committed offences are grave in nature. The earlier bail application of the petitioner was dismissed by the Special Court for POCSO cases, Dharmapuri, vide order dated 05.01.2026 in Crl.M.P.No.406 of 2025. He further submitted that the investigation in this case is pending and if the petitioner is released on bail, he will hamper the investigation and prayed for dismissal of the bail petition.



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5. Considering the nature of allegation; period of incarceration; the submissions made on either side, the fact that it is not the case of penetrative sexual assault and since further custody is not required for the purpose of investigation, 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 learned *Special Court for Exclusive Trial of Cases under POCSO Act, Dharmapuri* 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 stay at Vellore and report before the Vellore South Police Station, everyday at 10.30 a.m., for a period of four 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 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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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.



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To

- 1.The State Represented by The
Inspector of POlice,
Bommidi Police Station, Dharmapuri
District. Crime No. 197 of 2025.
- 2.The Special Court for Exclusive Trial
of Cases under POCSO Act,
Dharmapuri.
- 3.The District Jail, Dharmapuri.
- 4.The Public Prosecutor,
High Court of Madras.



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