



Crl.OP.No3214 of 2026

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 11.02.2026

CORAM

THE HONOURABLE MR JUSTICE **K.RAJASEKAR**

Crl.O.P.No.3214 of 2026

Tamilarasan

... Petitioner

Vs.

State rep by
The Inspector of Police,
AWPS, Uthukottai,
Thiruvallur District.

... Respondent

PRAYER : Criminal Original Petition filed under Section 483 of Bharatiya Nagarik Suraksha Sanhita, 2023, to enlarge the petitioner on bail in Cr.No.47 of 2026 on the file of the Inspector of Police, AWPS, Uthukottai, Thiruvallur District.

For Petitioner : Mr.P.Chandrasekar

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



ORDER

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The petitioner, who was arrested and remanded to judicial custody on 12.12.2025, for the alleged offence punishable under Sections 87 of BNS and Section 9(m) r/w Section 10 of the Protection of Children from Sexual Offences Act, 2012, in Cr.No.47 of 2025, on the file of the respondent police, seeks bail.

2. The case of the prosecution is that the petitioner herein is residing in the same locality of victim girl. While the victim girl was walking in the road along with his brother, this petitioner had taken her in a lonely place, kissed and hugged her and also inappropriately touched her private part. It was also witnessed by her brother, he had threw stones on the petitioner. Later, the victim girl and her brother had returned to their house and immediately, the victim girl has intimated the occurrence to her family members, following which, the family members of the victim girl questioned about the incident. Thereafter, the complaint has been lodged against the petitioner. Hence, the present case.



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3. The learned counsel appearing for the petitioner submitted that purely on suspicion, the petitioner has been arrested and he is in custody from 12.02.2025. He further submitted that it is not a case of penetrative sexual assault and it is a false case which has been attributed against the petitioner . He also submitted that he is ready to co-operate with the trial. Hence, he prayed 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 investigation in this case has been concluded and final report is also file and the same is yet to be taken on file and opposed to grant bail to the petitioner.

5. Considering the nature of the allegations, it is not a case of penetrative sexual assault, the period of incarceration undergone by the petitioner, though investigation is pending in this case, I am inclined to grant bail to the petitioner, subject to certain conditions.

6. Accordingly, the petitioner is ordered to be released on bail on his executing a bond for a sum of **Rs.25,000/- (Rupees Twenty Five Thousand**



only) with two sureties, for a like sum to the satisfaction of the learned ***learned POCSO Court, Thiruvallur,*** and on further conditions that:

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[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 POCSO Court, Thiruvallur on all working days at 10.30 a.m for a period of four weeks and thereafter as and when required for interrogation;

[c] the petitioner shall make himself available for interrogation by a Police Officer as and when required;

[d] the petitioner shall not directly or indirectly cause any threat to the de facto complainant and witnesses;

[e] the petitioner to give an undertaking that if required for being identified by witnesses during investigation or for police custody beyond the first fifteen days, he shall comply to the directions as may be given by the Court in this regard;

[f] 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 SCC 283]**;

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

11.02.2026

Vv

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 POCSO Court, Thiruvallur
2. The Inspector of Police,
AWPS, Uthukottai,
Thiruvallur District
3. The Central Prison, Puzhal.
4. The Public Prosecutor,
High Court of Madras.



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K.RAJASEKAR, J.

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