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CRL OP No. 1942 of 2026



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 29-01-2026

CORAM

THE HONOURABLE MR.JUSTICE K.RAJASEKAR

CRL OP No. 1942 of 2026

1. Santhosh @ Manjel
S/o Elumalai, No.80, Bajanai Koil
Street, Thottikala, Kalambakkam,
Thiruvallur.

Petitioner(s)

Vs

1. The State Rep By, The Inspector of
Police
AWPS, Poonamallee, Thiruvallur.
Crime No.28 of 2025.

Respondent(s)

PRAYER

To enlarge the petitioner on bail in Crime NO.28 of 2025 on the file of the respondent.

For petitioner: W.Camyles Gandhi

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

ORDER

The petitioner, who was arrested and remanded to judicial custody on 19.11.2025 for the alleged offence punishable under Section 5(1), 5(i)(ii) r/w. 6(1) of POCSO Act 2012 in Crime No.28 of 2025 on the file of the respondent police, seeks bail.



2. The allegation against the petitioner is that the petitioner is aged about 20 years and used to go near the house of the victim girl aged about 17 years and some how developed contact with her and subsequently under the pretext of loving her, entered into the house and forcibly committed aggravated penetrative sexual assault. The petitioner has continued the same for some time and later, the family has come to know about the same and the victim was sent to her grandmother's house and subsequently it was revealed that she was pregnant and thereafter the case was registered and the petitioner was arrested.

3. Learned counsel appearing for the petitioner submitted that the petitioner is aged about 20 years and it is a case of adolescent love and the petitioner is in incarceration from 19.11.2025 and he is ready to cooperate with the investigation. 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 victim girl has now delivered a child and the investigation is not concluded. Hence, he opposed to grant bail to the petitioner.

5. Considering the manner in which the occurrence had taken place and it is case of adolescent relationship and it is also submitted that the victim girl is aged about 18 years and she is not under 17 years and also considering the other



circumstances, this Court is inclined to grant bail to the petitioner with certain conditions.

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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 Sessions Judge, Special Court for Exclusive Trial of Cases under POCSO Act, Tiruvallur*, 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 two 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];

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

[g] The petitioner shall not enter into the jurisdictional limit where the victim girl is residing.

29-01-2026

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 Sessions Judge, Special Court for Exclusive Trial of Cases under POCSO Act, Tiruvallur.

2.The State Rep By, The Inspector of Police

AWPS, Poonamallee, Thiruvallur.

Crime No.28 of 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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