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Crl.O.P.No.2355 of 2026

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: **03.02.2026**

CORAM

THE HONOURABLE MR JUSTICE K. RAJASEKAR

CRL OP NO.2355 of 2026

Ambethkar

... Petitioner

Vs

The State rep. by,
The Inspector of Police,
W-36 Puzhal All Women Police Station,
Puzhal, Chennai – 600 066.

... Respondent

PRAYER : Criminal Original Petition filed under Section 483 of Bharatiya
Nagarik Suraksha Sanhita, 2023, to grant bail to the petitioner/accused in
Crime No.1113 of 2025 on the file of the Inspector of Police, W-36 Puzhal
All Women Police Station, Chennai – 600 066 in Crl.M.P.No. 7 of 2026 on
the file of the Sessions Special Court for Trial of cases under POCSO Act
Court, Tiruvallur

For Petitioner(s) : Mr.S. Mohan Raj

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



ORDER

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The petitioner, who was arrested and remanded to judicial custody on 15.12.2025, for the offence under Sections 5(1), 6,7,8,9(c)(n) r/w 10 of Protection of Child from Sexual offences Act, 2012 in Crime No.1113 of 2025, registered on the file of the respondent police, seeks bail.

2. The case of the prosecution is that the A1 in this case intercepted the victim girl when she was walking in the road and kidnapped her and committed aggravated sexual assault on her. Hence the case has been registered. Further while recording the statement under Section 161, the victim girl has divulged the information that this petitioner/A2 is also involved in sexual assault. Hence, the petitioner has been arrested.

3. The learned counsel appearing for the petitioner submitted that the A1 only has committed the offence and the petitioner/A2 has not committed any sexual assault on the victim girl. He further submitted that in the statement recorded from the victim girl under Section 183 of BNSS there is no averment about this petitioner and the petitioner is in judicial custody from 15.12.2025. He further submitted that the petitioner is ready to co-



operate with the investigation and ready to abide by any conditions that may be imposed by this Court and sought for bail to the petitioner.

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4.The learned Government Advocate (Criminal Side) appearing for the respondent while opposing the bail to the petitioner, reiterated the prosecution case and submitted that this petitioner/A2 and A1 have committed sexual assault on the victim girl. Hence, he opposed to grant bail to the petitioner.

5. I have gone through the statement recorded from the victim girl under section 183 of B.N.SS as well as the statement recorded by the police which reveals that the victim girl has stated that A1 has committed aggravated penetrative sexual assault on her and she has not stated anything about the involvement of the petitioner/A2.

6.Considering the facts and circumstances of the case, the period of incarceration undergone by the Petitioner and since the petitioner has not involved in sexual assault, this Court is inclined to grant bail to the petitioner herein with certain conditions.



7. Accordingly, the petitioner is ordered to be released on bail on their executing a bond for a sum of **Rs.25,000/- (Rupees Twenty Five Thousand only)** with **two sureties each** for a like sum to the satisfaction of the learned Court of Sessions Special Court for trial of cases under POCSO Act, Court, Tiruvallur and on further conditions that:

[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 respondent daily at 10.30 a.m., for a period of two weeks and thereafter, as and when required for interrogation.**

[c] 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]**;



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

03.02.2026

smn

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 Inspector of Police,
W-36 Puzhal All Women Police Station,
Puzhal, Chennai – 600 066.
2. The Court of Sessions Special Court for trial
of cases under POCSO Act, Court, Tiruvallur
3. The Superintendent, Puzhal Prison Jail, Chennai.
4. The Public Prosecutor,
High Court of Madras.



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K. RAJASEKAR, J.

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