



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 18-02-2026

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CORAM
THE HONOURABLE MR.JUSTICE SUNDER MOHAN

CRL A No. 119 of 2026

Janakiraman

...Appellant(s)

Vs.

1. The State Rep By,
Deputy Superintendent of Police,
Arani, Tiruvannamalai District.

2. The Inspector of Police,
Arani All Women Police Station,
Arani.
(Crime No.38 of 2025)

3. Suganya

... Respondent(s)

PRAYER: Criminal Appeal is filed under Section 14(A)(2) of the SC/ST of Prevention of Atrocities Act r/w 415(2) of BNSS, 2023, to set aside the order made in Crl.M.P.No.1 of 2026 on the file of the Special Court (POCSO Cases), Thiruvannamalai dated 19.01.2026 in Crime No.38 of 2025 on the file of the 2nd respondent by allowing the present appeal and enlarge him on bail.

For Appellant(s): Mr.M.Vignesh

For R1 & R2 : Mr.S.Balaji
Government Advocate (Crl. Side)

For R3 : M.rArokiyaraj
Legal Aid Counsel

ORDER

The appeal challenges the dismissal of the bail application filed by the appellant, who has been charged for the major offences under Section 9(m) r/w 10 of the POCSO Act,2012 and Section 3(2)(v) of the SC and ST



(Prevention of Atrocities) Act, 1989. .

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2. It is the case of the prosecution that the appellant aged about 72 years had called the victim girl aged about 6 year in the guise of giving chocolate and thereafter, slapped her on the cheeks and on her back and inappropriately touched the victim girl and thus committed the aforesaid offences.

3. The appellant sought for bail before the trial Court, which came to be dismissed by the impugned order dated 19.01.2026 passed in Crl.M.P.No.1 of 2026 on the file of the Special Court (POCSO Cases), Thiruvannamalai.

4. The learned counsel for the appellant would submit that the allegations are false; that the appellant was arrested on 11.11.2025; that the respondent has completed the investigation and filed the final report, which has now been taken on file in Spl.S.C.No.21 of 2026 before the Special Court (POCSO Cases), Thiruvannamalai; and that, considering the age of the appellant and the fact that his further custody is not required for the purpose of investigation, he may be released on bail.

5. The learned Government Advocate (Crl. Side) for the respondent



confirms the fact that the investigation has been completed and final report has already been filed, which has now been taken on file.

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6. Though the defacto complaint was served, none has entered appearance and hence, this Court had appointed Mr.Arokiyaraj, learned Legal Aid Counsel to represent the victim.

7. Mr.Arokiyaraj, learned Legal Aid Counsel appearing for the victim would submit that the appellant had committed serious offences and the fact that the final report has been filed would not be a ground to released the appellant on bail.

8. As stated above, the allegations against the appellant is that he inappropriately touched the victim girl and also slapped her. The appellant is in custody from 11.11.2025 and the final report has now been filed. The appellant is aged about 72 years.

9. Considering all the above facts, this Court is of the view that the further custody of the appellant is not required for the purpose of investigation and therefore, this Court is inclined to set aside the impugned order dated 19.01.2026 passed in Crl.M.P.No.1 of 2026 on the file of the Special Court



(POCSO Cases) Thiruvannamalai and the appellant is ordered to be released on bail on the following conditions:

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- (i) The appellant shall execute a bond for a sum of Rs.10,000/- with two sureties, each for a like sum to the satisfaction of the learned Sessions Judge/ Special Court to deal with cases related to POCSO Act, Tiruvannamalai ;
- (ii) The appellant and the sureties shall affix their photographs and Left Thumb Impression in the surety bond and the trial Court may obtain a copy of their Aadhar card or Bank pass Book and mobile numbers to ensure their identity; and
Shall
- (iii) The appellant shall appear before the trial Court at 10.30 a.m., on the first working day of every month and on all the hearing dates and if he is not able to appear before the trial Court on any day, he shall make arrangements to file an application under Section 317 Cr.P.C. and shall appear before the trial Court on any other day in lieu of the date of his absence, as directed by the trial Court.

10. Accordingly, this Criminal Appeal is allowed.

18-02-2026

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CRLA No. 119 of 2



SUNDER MOHAN J
Mac.

To

1. The Special Court (POCSO Cases), Thiruvannamalai
2. The Deputy Superintendent of Police,
Arani,
Tiruvannamalai District.
3. The Superintendent of Prison,
Central Prison, Vellore.

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