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Crl.O.P.No.2471 of 2026

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 04.02.2026

CORAM

THE HONOURABLE MR. JUSTICE K.RAJASEKAR

Crl.O.P.No.2471 of 2026

Sivaprakash

... Petitioner

Vs.

The State represented by
The Inspector of Police,
North Police Station, Tiruppur.
(Crime No.669 of 2023)

... Respondent

PRAYER : Criminal Original Petition filed under Section 483 of Bharatiya
Nagarik Suraksha Sanhita, 2023, to enlarge the Petitioner/Accused on bail in
Crime No.669 of 2023 pending on the file of the respondent Police.

For Petitioner : Mr.G.Sujith

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

ORDER

The petitioner who was arrested and remanded to judicial custody on
16.12.2025, seeks bail in Spl.S.C.No.99 of 2023 for the offence punishable
under Sections 5(1) read with Section 6 of POCSO and Section 366(A) of
IPC in connection with Crime No.669 of 2023, registered on the file of the
respondent.



Crl.O.P.No.2471 of 2026

WEB COPY

2. The allegation against the petitioner herein is that the petitioner was involved in committing penetrative sexual assault on the victim girl in the year 2023 and hence he was arrested and released on bail and subsequently after filing of the final report, he was not regular in appearance, hence NBW was issued on 11.10.2023 and jumped bail and thereafter NBW was executed and petitioner was arrested on 16.12.2025. Hence, the case.

3. Learned counsel for the petitioner submitted that the petitioner was earlier arrested and he was not aware about subsequent hearing dates and on 16.12.2025, when he went to the Court for hearing, he was arrested and he is in custody. He further submitted that it is the case of adolescent love. He also submitted that the petitioner will undertake that hereafter he will regularly appear before the trial court on all hearing dates and also stated that he is prepared to comply with any stringent conditions that may be imposed by this Court. Therefore, he prays for grant of bail to the petitioner.

4. Learned Government Advocate (Crl.Side) appearing for the respondent submitted reiterated the prosecution case and opposed for grant of bail to the petitioner.



Crl.O.P.No.2471 of 2026

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6. Considering the facts and circumstances of the case, submissions made by the learned counsels on either side and the fact that petitioner earlier arrested and availed bail and period of incarceration, 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.25,000/- (Rupees Twenty Five Thousand only)** with **two sureties**, each for a like sum to the satisfaction of the learned **Court of Sessions Magalir Needhi Mandram (Fast Track Mahila Court), Tiruppur** 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 trial Court on all working day at 10.30.a.m., for a period of three weeks and thereafter as and when required for



Crl.O.P.No.2471 of 2026

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.

04.02.2026

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Crl.O.P.No.2471 of 2026

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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. Court of Sessions Magalir Needhi Mandram (Fast Track Mahila Court),
Tiruppur
- 2.The Inspector of Police,
North Police Station, Tiruppur.
- 3.The Central Prison, Tiruppur.
- 4.The Public Prosecutor,
High Court of Madras.



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Crl.O.P.No.2471 of 2026

K.RAJASEKAR, J.

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Crl.O.P.No.2471 of 2026

04.02.2026