



WEB COPY

CRL OP No. 2635 of 2



IN THE HIGH COURT OF JUDICATURE AT MADRAS

**DATED: 05-02-2026**

CORAM

**THE HON'BLE MR.JUSTICE K.RAJASEKAR**

**CRL OP No. 2635 of 2026**

Madhankumar

..Petitioner(s)

Vs

State rep by the Station House Officer  
D-Nagar Police Station,  
Puducherry

..Respondent(s)

Prayer: This Criminal Original Petition is filed under Section 483 of BNSS to enlarge the petitioner on bail in Cr.No.256 of 2025 on the file of the respondent police.

For Petitioner(s): Mr.P.Pandiyaraj

For Respondent(s): Mr.M.V.Ramachandra Murthy  
Public Prosecutor, Puducherry.

### **ORDER**

The petitioner, who was arrested and remanded to judicial custody on 16.12.2025, for the offences punishable under Sections 8 of POCSO Act in Crime No.256 of 2025, registered on the file respondent police, seeks bail.



2.The allegation against the petitioner is that the victim is a 12 year old minor boy. On 11.11.2025, while the victim was at the Gorimedu Training Ground, the petitioner/accused, who was working as a Coach, took the victim to a nearby milk booth on the pretext of getting him milk, and in a dark place behind the said booth, hugged the victim, kissed him on his cheeks and pressed his private parts. Subsequently, the victim disclosed the incident to his mother. However, she has not taken any steps, hence same was intimated to his father. Hence, the complaint.

3.The learned counsel appearing for the petitioner submitted that the petitioner is an innocent person and due to prior enmity, a false case has been instituted at the instance of the father of the victim, who has been living separately from his wife for a considerable period. He further submit the allegations are purely vindictive and do not warrant custodial interrogation of the petitioner. Hence, he prays for grant of bail to the petitioner.

4.The learned Public Prosecutor, Puducherry appearing for the respondent police would submit that the statement of the victim recorded under Section 183 of the BNSS, clearly reveals the commission of sexual assault by the petitioner and disclose the involvement of the petitioner in the offence. Hence, the learned counsel vehemently opposed for grant of bail to the petitioner stating that the judicial custody of the petitioner is necessary for effective investigation.



5. I have gone through the statement of the victim recorded under Section 183 of the BNSS which clearly reveals that the petitioner does not involve in penetrative sexual assault, and upon consideration of the period of incarceration undergone by the petitioner and other facts and circumstances of 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.20,000/- (Rupees Twenty Thousand only)** with **two sureties**, each for a like sum to the satisfaction of the **learned Fast Track Court Exclusively to Deal with Offences Under the POCSO Act, at Puducherry**, 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 three weeks and thereafter as and when required for interrogation;**

[c] the petitioner shall not abscond either during investigation or trial;

[d] the petitioner shall not tamper with 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.

05-02-2026

Index: Yes/No

Speaking/Non-speaking order

Neutral Citation: Yes/No

JAI

To

1. The Station House Officer  
D-Nagar Police Station,  
Puducherry.
2. The Fast Track Court Exclusively to  
deal with offences under the POCSO Act,  
Puducherry.
3. The Central Prison, Kalapet,  
Puducherry.
4. The Public Prosecutor,  
High Court of Madras.



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**K.RAJASEKAR, J.**

**JAI**

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