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Crl.OP.No.3480 of 2026

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 13.02.2026

CORAM

THE HONOURABLE MR JUSTICE **K.RAJASEKAR**

Crl.O.P.No.3480 of 2026

Praveen

... Petitioner

Vs.

The State Rep by
The Inspector of Police,
Dharapuram, All Women Police Station,
Tiruppur.

... Respondent

PRAYER : Criminal Original Petition filed under Section 483 of Bharatiya Nagarik Suraksha Sanhita, 2023, to enlarge the petitioner on bail pending investigation in Cr.No.33 of 2025 on the file of the Inspector of Police, Dharapuram, All Women Police Station, Tiruppur.

For Petitioner : Mr.P.Thinesh

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

ORDER

The petitioner, who was arrested and remanded to judicial custody on 07.12.2025, for the alleged offence punishable under Section 5(1) r/w 6 of POCSO Act, 2012 in Cr.No.33 of 2025 on the file of the respondent police, seeks bail.

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2. The allegation against the petitioner is that the petitioner had developed the contact with the victim girl and after sharing the phone numbers, he used to talk regularly with her and subsequently, he demanded her to come to his house. Accordingly, the victim girl went to his house and at that time, the petitioner has attempted to commit sexual assault on her. However, she has stopped it, and thereafter, she has intimated to her parents, which led to the registration of the case, and the petitioner was arrested. Hence, the present petition has been filed seeking bail.

3. The learned counsel appearing for the petitioner submitted that it is not a case of aggravated penetrative sexual assault, where there is no such alleged sexual assault. He further submitted that the petitioner and the victim are friends and the petitioner is only aged about 19 years.. He further submitted that the petitioner is in custody from 07.12.2025, he is ready to co-operate with the investigation and also ready and willing to abide by any stringent conditions that may be imposed by this Court. Hence, he prayed for grant of bail to the petitioner.

4. The learned Government Advocate (Crl.side) appearing for the respondent reiterated the prosecution case and submitted that investigation in this case is pending and produced the copy of statement recorded from the



victim girl under Section 183 of BNSS. Hence, he vehemently opposed to grant bail to the petitioner.

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5. I have also gone through the statement and other connected materials, which revealed that it is not a case of penetrative sexual assault and the petitioner is aged about 19 years.

6. Considering the nature of allegations, the fact that it is not a case of penetrative sexual assault, the period of incarceration undergone by the petitioner and the age of the petitioner herein. Though investigation is pending in this case, I am inclined to grant bail to the petitioner, subject to 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**, for a like sum to the satisfaction of the learned *learned Sessions Judge, Mahalir Neethimandram (FTMC), 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 *Sessions Judge, Mahalir Neethimandram (FTMC), Tiruppur on all working days at 10.30 a.m for a period of three weeks and thereafter as and when required for 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]**;



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

13.02.2026

Vv

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, Mahalir Neethimandram (FTMC), Tiruppur*
2. The Inspector of Police,
Dharapuram, All Women Police Station,
Tiruppur.
3. The Central Prison, Coimbatore.
4. The Public Prosecutor,
High Court of Madras.



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K.RAJASEKAR, J.

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