



Crl.OP.No.3613 of 2026

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 06-03-2026

CORAM

THE HON'BLE MR.JUSTICE C.KUMARAPPAN

Crl.O.P.No.3613 of 2026

Masilamani

... Petitioner

Vs.

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

... 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.53 of 2025 on the file of the respondent police.

For Petitioner : Mr.M.D.Ilayaraja

For Respondent : Mr.S.Vinoth Kumar,
Government Advocate (Crl.Side)

ORDER

This matter is listed under the caption 'for being mentioned' at the instance of the learned counsel for the petitioner.

2. When the matter came up for hearing, the learned counsel for the petitioner brought to the notice of this Court that in paragraph No.4 of the order dated 13.02.2026, the Special Sessions Case number has been wrongly mentioned as Spl.S.C.No. 274 of 2025 instead of Spl.S.C.No.277 of 2025.



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3. In view of the above, Registry is directed to substitute the **Spl.S.C.No. 277 of 2025** in place of Spl.S.C.No.274 of 2025 in paragraph No. 4 of the order dated 13.02.2026 and issue a fresh order copy.

06.03.2026

nsf

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 Magalir Neethi Mandram
(Fast Track Mahila Court), Tiruppur
2. The Inspector of Police,
All Women Police Station,
Udumalpet, Tiruppur District.
3. The District Jail, Tiruppur
4. The Public Prosecutor,
High Court of Madras.



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C.KUMARAPPAN, J.

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06.03.2026



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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 13.02.2026

CORAM

THE HONOURABLE MR JUSTICE **K.RAJASEKAR**

Crl.O.P.No.3613 of 2026

Masilamani

... Petitioner

Vs.

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

... 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.53 of 2025 on the file of the respondent police.

For Petitioner : Mr.M.D.Ilayaraja

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

ORDER

The petitioner, who was arrested and remanded to judicial custody on
29.09.2025, for the alleged offence punishable under Sections 131, 351(3) of
BNS and Section 3(a)(d) r/w 4(2) and 5(m), 5(n) r/w 6 of POCSO Act, 2012
in Cr.No.53 of 2025 on the file of the respondent police, seeks bail.



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2. The case of the prosecution is that the petitioner herein is the father of the victim girl, aged about 3 years, he had committed sexual assault on the victim child and she had intimated the same to her mother, which led to the registration of the case and thereby the petitioner was arrested. Hence, the present petition has been filed seeking bail.

3. The learned counsel appearing for the petitioner submitted that the allegation against the petitioner is that due to dispute between the petitioner and his wife/mother of the victim child, a false complaint has been lodged against him. He further submitted that the petitioner is in custody from 29.09.2025, he is ready to co-operate with the trial process 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 the victim girl is aged about three years and the statement of the victim child is also recorded and he has also produced the same before this court. He further submitted that after completion of investigation, final report has been filed before the Sessions Magalir Neethi Mandram (Fast Track Mahila Court, Tiruppur and the same has been taken on file in Spl.SC.No.274 of 2025 and



posted for 16.12.2025 for furnishing copies. Hence, he vehemently opposed to grant bail to the petitioner.

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5. I have also gone through the statement recorded from the victim girl, which revealed that the petitioner had committed penetrative sexual assault on the victim girl by kissing her private part. However, it is alleged by the petitioner, that there is a motive behind lodging the complaint and now, the victim child is residing with her mother.

6. Considering the nature of allegations and the period of incarceration undergone by the petitioner and the fact that now investigation concluded, 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 Magalir Neethi 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 Sessions Magalir Neethi Mandram (Fast Track Mahila Court, Tiruppur at 10.30 a.m for a period of four weeks. It is made clear that the petitioner shall not enter into the jurisdictional limit of the respondent police;

[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



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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.

13.02.2026

Vv

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To

1. The Sessions Magalir Neethi Mandram
(Fast Track Mahila Court, Tiruppur)

2. The The Inspector of Police,
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Udumalpet, Tiruppur District.

3. The District Jail, Tiruppur

4. The Public Prosecutor,
High Court of Madras.



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K.RAJASEKAR, J.

Vv

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13.02.2026



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