



Crl.O.P.No.3935 of 2026

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 23.02.2026

CORAM

THE HONOURABLE MR. JUSTICE K.RAJASEKAR

Crl.O.P.No.3935 of 2026

Rahul

... Petitioner

Vs.

The State Rep. By,
The Inspector of Police,
St.Thomas Mount,
W-31, All Women Police Station,
Chennai – 600 016.
Crime No.02 of 2026

... Respondent

PRAYER : Criminal Original Petition filed under Section 482 of Bharatiya Nagarik Suraksha Sanhita, 2023, to enlarge the petitioner on anticipatory bail in the event of his arrest in Crime No.02 of 2026 on the file of the respondent police.

For Petitioner : Mr.K.Nagarajan

For Respondent : Ms.J.R.Archana
Government Advocate (Crl. Side)



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ORDER

The petitioner herein apprehends arrest at the hands of the respondent police for the offences punishable under Sections 5(j)(ii) read with Section 6(i) of POCSO Act, 2012 in Crime No.02 of 2026, on the file of the respondent Police, seeks anticipatory bail.

2. The allegation against the petitioner is that the petitioner is 19 years old and he developed contact with the victim girl, who is 11std and the petitioner herein has induced her and committed penetrative sexual assault which resulted in pregnancy. Hence, the case was registered.

3. The learned counsel for the petitioner submitted that the petitioner submitted that the petitioner is 19 year old and it is an adolescent age and the victim girl is more than 17 ½ year old. He further submitted that the petitioner is ready to abide by any stringent conditions that may be imposed by this Court. Hence, he prayed for grant of anticipatory bail to the petitioner.

4. The learned Government Advocate (Crl. Side) reiterated the prosecution case and submitted that the investigation is pending. Hence, he opposed for grant of anticipatory bail to the petitioner.



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5. Considering the nature of allegations and also age of the victim girl as well as the petitioner and other circumstances of the case, this Court is of the view that the custodial interrogation of the petitioner is not necessary, hence this Court is inclined to grant anticipatory bail to the petitioner.

6. Accordingly, the petitioner is ordered to be released on bail in the event of arrest or on their appearance, within a period of ten days from the date of receipt of a copy of this order, before the learned **Court for Exclusive Trial of Cases under POCSO Act, Chengalpattu** on condition that the petitioner shall execute 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 Magistrate concerned, and on further condition that:

[a] if the petitioner fails to surrender before the concerned Magistrate within a period of ten days from the date of receipt of a copy of this order, this order shall stand automatically cancelled;

[b] 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;

[c] the petitioner shall report before the respondent police daily at 10.30.a.m., for a period of two weeks and thereafter as and when required for interrogation;

[d] 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]**;

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

[f] the petitioner shall co-operate for the medical examination if any required.

23.02.2026

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To

1. Court for Exclusive Trial of Cases under POCSO Act, Chengalpattu

2.The Inspector of Police,
St.Thomas Mount,
W-31, All Women Police Station,
Chennai – 600 016.

3.The Public Prosecutor,
High Court of Madras.



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K.RAJASEKAR, J.

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