



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 18.02.2026

CORAM

THE HONOURABLE MR JUSTICE K.RAJASEKAR

Crl.O.P.No. 3984 of 2026

Aasiya Bee

... Petitioner

Vs.

The State represented by
The Inspector of Police
Redhills All Women Police Station
Tiruvallur District
Crime No. 59 of 2025.

... Respondent

Prayer: Criminal Original Petitions filed under Section 483 of Bharatiya Nagarik Suraksha Sanhita, to enlarge the petitioner on bail in Cr.No. 59 of 2026 on the file of respondent police.

For Petitioner : Mr.K.S.Harish

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

ORDER

The petitioner, who was arrested and remanded to judicial custody on 22.12.2025 for the offences punishable under Sections 105 of BNS, 3, 5(n), 5(j)(ii) and 6(1) r/w 17, 21(1) of POCSO Act, on the file of respondent police seeks bail.



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2. The allegation against the petitioner is that the petitioner is ranked as A2 in this case. A1, who is the brother-in-law of the victim girl, committed penetrative sexual assault on the victim girl, aged about 16 years, which resulted in pregnancy. Hence, A1 brought the victim girl to the petitioner herein/A2's for miscarriage and further performed miscarriage, but it resulted in complications, hence, complaint lodged, and the case has been registered and the petitioner was arrested.

3. The learned counsel for the petitioner submitted that the petitioner is ranked as A2 in this case, and she has not committed any offence as alleged by the prosecution. He further submitted that the petitioner was arrested and remanded to judicial custody from 22.12.2025. He further submitted that the petitioner is not having any previous case and the petitioner is being a lady and is ready to co-operate with the trial process. Hence, he prayed for grant of bail to the petitioner.

4. Mr.A.Gopinath, learned Government Advocate (Criminal Side) appearing for the respondent police, reiterated the prosecution case and submitted that the victim girl who is aged about 16 years, and the victim girl studied 9th standard and this petitioner herein conducted miscarriage to the



victim girl. Now, the victim girl is secured and discharged from the hospital.

He further submitted that the petitioner is not having any previous case, and he opposed to grant bail to the petitioner.

5. Considering the fact that petitioner is not having any previous case, and also overt-acts attributed against the petitioner herein, this Court is inclined to grant bail to the petitioner with 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**, for a like sum to the satisfaction of the **learned Sessions Judge, Special Court for Exclusive Trial of Cases under the POCSO Act at Tiruvallur**, 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] that the petitioner shall report before the respondent police daily at 10.30 am for a period of three weeks and thereafter, as and when required for interrogation.



[c] 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]**;

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

18.02.2026

MSM

Index:Yes/No

Speaking/Non-speaking order

Internet:Yes

Neutral Citation:Yes/No

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

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- 1.The Sessions Judge, Special Court
for Exclusive Trial of Cases under the
POCSO Act at Tiruvallur.
- 2.The Special Prison for Women,
Puzhal.
- 3.The Public Prosecutor
High Court of Madras.
- 4.The Inspector of Police
Redhills All Women Police Station
Tiruvallur District
Crime No. 59 of 2025.



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K.RAJASEKAR J.

MSM

Crl.O.P.No.4006 of 2026

18.02.2026