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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: **23.02.2026**

CORAM :

THE HON'BLE MR. JUSTICE K. RAJASEKAR

Crl.O.P.No.4368 of 2026

Ramkumar

... Petitioner

-VS-

The State Rep.by
The Inspector of Police,
All Women Police Station,
Harur,
Dharmapuri District.
(Crime No.23 of 2025)

... Respondent

Prayer:- Criminal Original Petition filed under Section 483 of BNSS Act, to enlarge the petitioner on bail in connection with the Crime No.23 of 2025 pending investigation on the file of the respondent.

For Petitioner : Mr.G.Jeremiah

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

ORDER

The petitioner, who was arrested and remanded to judicial custody on 20.11.2025 for the alleged offences punishable under Sections 5(1), 5(j)(ii), 6(1) of POCSO Act, in Crime No.23 of 2025, registered on the file of the respondent police, seeks bail.



2. The case of the prosecution is that the the petitioner is aged about 12 years and he has closely moved with the victim girl aged about 15 years and subsequently kidnapped to his house and committed aggravated penetrative sexual assault continuously which resulted in pregnancy and while victim girl was taken to hospital, a case has been registered and the petitioner was arrested.

3. The learned counsel appearing for the petitioner submitted that the petitioner has been falsely implicated in this case. He further submitted that the petitioner is now aged about only 22 years and the petitioner is in incarceration from 20.11.2025 and the investigation is completed. Hence, he prayed for grant of bail to the petitioner.

4. The learned Government Advocate (Crl.Side) appearing for the respondent police reiterated the prosecution case and submitted that the investigation is completed and the final report has also been filed in Spl.SC.No.1 of 2026 on the file of the learned Special Court for Exclusive Trial of Cases under POCSO Act, Dharmapuri District. Hence, he opposed grant of bail to the petitioner.

5. Heard both sides and perused the materials available on record.

6. Considering the submissions made by the learned counsel on either side, the nature of the allegations, considering the period of his incarceration and taking into account the age of the petitioner and also considering the statement of victim girl, this Court is inclined to grant



bail to the petitioner and the case has been pending before the learned Special Court for Exclusive Trial of Cases under POCSO Act, Dharmapuri District in Spl.SC.No.1 of 2026, this Court is 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 each, for a like sum to the satisfaction of the learned **Special Court for Exclusive Trial of Cases under POCSO Act, Dharmapuri District**, 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 concerned Court, 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 the evidence or witness either during investigation or trial;



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[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.

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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 Special Court for Exclusive Trial of Cases under POCSO Act, Dharmapuri District.
- 2.The Inspector of Police,
All Women Police Station,
Harur,Dharmapuri District.
- 3.The Central Prison, Salem.
- 4.The Public Prosecutor,
High Court, Madras.



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K. RAJASEKAR, J.

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