



WEB COPY

CRL OP No. 4606 of 2



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 25-02-2026

CORAM

THE HON'BLE MR.JUSTICE K.RAJASEKAR

CRL OP No. 4606 of 2026

Vinodkumar Alias Kutty
S/o.Ramalingam,
No.188, Kuvempu Nagar,
2nd Stage, Jalahalli Post,
Bangalore North,
Karnataka State.

..Petitioner(s)

Vs

State represented by
All Women Police Station,
Dharmapuri.
Cr.No.17/2025

..Respondent(s)

PRAYER:Criminal Original Petition filed under Section 483 of BNSS Act, 2023, to enlarge the petitioner on bail in connection with the Spl.SC.No.182 of 2025 on the file of the Special Court for Exclusive Trial of Cases Under POCSO Act, Dharmapuri and pass such other orders and thus render justice.

For Petitioner(s):

M/s.T.Meganathan

For Respondent(s):

Mr.A.Gopinath

Government Advocate(Crl. Side)

ORDER

The petitioner, who was arrested and remanded to judicial custody on 08.04.2025, for the offence punishable under Sections 351(2) of BNS, read with Section 5(1), 5(n), 6 of POCSO Act 2019 and Section 75 of Juvenile Justice Act in Crime No.17 of 2025, registered on the file of the respondent, seeks bail.



2. The allegation against the petitioner is that the victim girl is aged about 16 years and the petitioner is the father of the victim girl and taking advantage of the loneliness of the victim girl, petitioner had committed penetrative sexual assault on the victim girl. Hence, the case was registered and the petitioner was arrested.

3. Earlier bail petition of the petitioner was dismissed on 04.02.2026 in Crl.O.P.No.34461 of 2025 on the following reasons:

“ 5. Considering the nature of allegation that the petitioner had committed penetrative sexual assault against his own biological daughter and since trial in this case is progressing, at this stage, if he was let out on bail, it would hamper the investigation. Hence, this Court is not inclined to grant bail to the petitioner.”

4. The learned counsel for the petitioner submitted that after dismissal of the earlier bail petition of the petitioner, PW1 and PW2 were already examined and they have not supported the prosecution case. Hence, he prayed for grant of bail to the petitioner.

5. The learned Government Advocate (Criminal Side) appearing for the respondent Police produced the copy of the statement recorded before the Trial Court.



6. I have gone through the record and considering the fact that already PW1 and PW2 were examined, this Court is inclined to grant bail to the petitioner.

7. 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 Special Court of Exclusive Trial of Cases under POCSO Act, Dharmapuri*, 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 Trial Court daily at 10.30 a.m., for a period of three weeks.

[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;

[e] On breach of any of the aforesaid conditions, the learned



WEB COPY

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.

25-02-2026

MPA

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.



WEB COPY

CRL OP No. 4606 of 2



To

1.The Special Court of Exclusive Trial of Cases under POCSO Act,
Dharmapuri.

2. State represented by
All Women Police Station,
Dharmapuri.
Cr.No.17/2025

3.The Officer, Incharge,
District Jail, Salem.

4.The Public Prosecutor,
High Court, Madras.



WEB COPY

CRL OP No. 4606 of 2



K.RAJASEKAR, J.

MPA

CRL OP No. 4606 of 2026

25-02-2026