



WEB COPY

CRL OP No. 5418 of 2



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 18-03-2026

CORAM

THE HON'BLE MR.JUSTICE C.KUMARAPPAN

CRL OP No. 5418 of 2026

Vignesh

..Petitioner

Vs

The State Rep. by
The Inspector of Police,
All Women Police Station,
Vaniyambadi, Tirupattur District.
Crime No.06 of 2026

..Respondent

Prayer: Criminal Original Petition filed under section 483 of BNSS to enlarge the petitioner on bail pending investigation in Crime No.06 of 2026 on the file of respondent.

For Petitioner: Mr.T.Muruganantham

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

ORDER

The petitioner, who was arrested and remanded to judicial custody on 18.02.2026 for the alleged offence under Section 65(1) of BNS (Section 376(3) of IPC) and Section 3(a) and 4(2) of POCSO Act in Crime No.06 of 2026 on the file of the respondent police, seeks bail.



2. The case of the prosecution is that the petitioner and the victim girl had love affair with each other. Hence, the parents of the victim girl gave a complaint against the petitioner.

3. The learned counsel for the petitioner submitted that there was no forcible sexual assault against the victim girl by the petitioner. He would further submit that the petitioner is ready to abide by any stringent conditions that may be imposed by this Court. Hence, he prays for grant of bail to the Petitioner.

4. The learned Government Advocate (Criminal Side) appearing for the Respondent Police reiterated the prosecution case and submitted that in the statement given by the victim girl under section 183 of BNSS before the learned Judicial Magistrate, Vaniyambadi, there are no materials available as against the petitioner. However, he opposed the grant of bail to the petitioner.

5. I have given my anxious consideration to either side submissions and perused the materials available on record.

6. From the submissions made by the learned counsel on either side, and from the statement given by the victim girl under section 183 of BNSS before



the learned Judicial Magistrate, Vaniyambadi, there are no materials available as against the petitioner that there was serious sexual assault against the victim girl. Considering the age of the petitioner and the victim girl and also considering their adolescent relationship and the duration of incarceration of the petitioner since 18.02.2026, this Court is inclined to enlarge the petitioner on bail with 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 Judicial Magistrate, Gudiyatham**, 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 respondent police daily at 10.30 a.m. and 05.30 p.m until further orders;

[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 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]**;

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

18-03-2026

SHL

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 Judicial Magistrate,
Gudiyatham
2. The Central Prison, Vellore
2. The Inspector of Police,
All Women Police Station,
Vaniyambadi, Tirupattur District.
3. The Public Prosecutor
High Court of Madras



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C.KUMARAPPAN J.

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