



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 05-03-2026

CORAM

THE HON'BLE MR.JUSTICE C.KUMARAPPAN

CRL OP No. 5615 of 2026

Gunasekaran

..Petitioner(s)

Vs

State rep.by,
The Inspector of Police,
Palladam All Women Police Station,
Tiruppur District.
Cr.No.37/2025.

..Respondent(s)

Prayer:- Criminal Original Petition is filed under Section 483 of B.N.S.S.,
pleaded to enlarge the petitioner on bail in Cr.No.37 of 2025 on the file of the
respondent police, pending investigation.

For Petitioner(s):	Mr.N.Ponraj
For Respondent(s):	Mr.S.Vinoth Kumar Government Advocate (Criminal side)

ORDER

The petitioner, who was arrested and remanded to judicial custody on
29.11.2025 for the alleged offences under Section 5 (l) and 5 (j) (ii) r/w 6 of
POCSO Act, 2012, in Crime No.37 of 2026 on the file of the respondent police,
seeks bail.

2. The case of the prosecution is that the victim girl is approximately 15
years old and the petitioner is approximately 19 years old. The petitioner and
the victim were allegedly in love relationship, during which the petitioner is



said to have committed aggravated penetrative sexual assault against the victim.

Hence the case.

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3.The learned counsel for the petitioner would submit that the petitioner and the victim are close relatives and were in a relationship. The victim has also deposed before the concerned Magistrate under Section 163 BNSS on 03.03.2026, where she did not say anything as to the sexual assault and according to the statement made by the victim there is no serious allegation against this petitioner.

4.While looking into the circumstances of the case, the petitioner has been under incarceration since 29.11.2025 for a period of more than 91 days and from the submissions made by the learned Government Advocate (Criminal side), this Court is able to understand that investigation is complete and a chargesheet has already been filed.

5.In such view of the position, taking into consideration the statement made by the victim before the concerned Magistrate and that the period of incarceration undergone by the petitioner and also considering the age of the petitioner, this Court is inclined to grant bail to the petitioner on certain conditions.



6. 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) each, with two sureties each for a like sum to the satisfaction of the learned **Sessions Judge, Magalir Neethi Mandram, (FTMC), Tiruppur**, and subject to the following conditions:

[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 in the morning at 10.30 AM and evening at 5.30 PM for a period four weeks; 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;

[e] on breach of any of the aforementioned conditions, the learned Magistrate/Trial Court is entitled to take appropriate action against the petitioner in accordance with law as if the conditions had been imposed and the petitioner released on bail by the learned Magistrate/Trial Court itself, as laid down by the Hon'ble Supreme Court in ***P.K.Shaji vs. State of Kerala [(2005)13 SCC 283]***;



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C.KUMARAPPAN, J.

[f] if the petitioner thereafter abscond, a fresh FIR may be registered under Section 269 of the Bharatiya Nyaya Sanhita, 2023.

05-03-2026

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To

1.The Sessions Judge, Magalir Neethi Mandram,
(FTMC), Tiruppur.

2.Central Jail, Coimbatore.

3.The Inspector of Police,
Palladam All Women Police Station,
Tiruppur District.

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