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CRL OP No. 5804 of 2



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 11-03-2026

CORAM

THE HON'BLE MR.JUSTICE C.KUMARAPPAN

CRL OP No. 5804 of 2026

M.Sasi Kumar S/o.Muthaiyaa,
No. 1/508, M.G.R.Nagar,
Latheri, K.V.Kuppam Taluk,
Vellore District.

..Petitioner(s)

Vs

The State represented by:

The Inspector of Police
Katpadi All Women Police Station,
Vellore District.
Crime No. 02/2026.

..Respondent(s)

PRAYER: The Criminal Original Petition has been filed under Section 483 of B.N.S.S. praying to enlarge the petitioner on bail in Crime No.02/2026 on the file of the respondent police and thus render justice.

For Petitioner(s): Mr. M.Sathish Kumar

For Respondent(s): Mr. S. Vinoth Kumar,
Government Advocate (Criminal side)

ORDER

The petitioner, who was arrested and remanded to judicial custody on 30.01.2026 for the alleged offences under Section 87 of B.N.S. and Sections 5(n) and 6 of POCSO Act read with Section 9 of Prohibition of Child Marriage Act 2006 and Section 67(B) of Information Technology Act in Crime No.2 of



2026 on the file of the respondent police, seeks bail.

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2. The *case of the prosecution* is that the victim girl is the sister of the petitioner's wife and the petitioner committed penetrative sexual assault on the minor victim girl and posted the messages and photos in his instagram ID. Hence the case.

3. The learned counsel appearing for the petitioner would submit that the petitioner is an innocent and he has not committed any offence as alleged by the prosecution. He would further submit that there is a matrimonial dispute between the petitioner and his wife and hence this false case has been registered against the petitioner and the petitioner is ready to abide by any condition that may be imposed by this Court and hence 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 opposed the bail application. He has also produced the copy of the statement recorded under Section 183(6) of B.N.S.S.

5. I have given anxious consideration to the submissions made by the learned counsel on either side.



6. From the statement recorded under Section 183(6) of B.N.S.S. before the Judicial Magistrate, Fast Track Court, Vellore and submitted by the learned Government Advocate, it appears that the victim girl did not support the prosecution case and she has stoutly denied the so-called sexual relationship with the petitioner.

7. In view of the above said submission and considering the period of incarceration of the petitioner since 30.01.2026, this Court is inclined to grant bail to the petitioner, subject to the following stringent conditions:

8. 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 Judge, Special Court for Exclusive trial of cases under POCSO Act, Vellore** 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 twice at 10.30 a.m. and 5.30 p.m. for a period of two weeks and thereafter as and when required by the respondent police.**



[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.

11-03-2026

MJS

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 Judge, Special Court for Exclusive trial of cases under POCSO Act, Vellore.
2. The Inspector of Police, Katpadi All Women Police Station, Vellore District.
3. The Superintendent of Police, Central Prison, Vellore.
4. The Public Prosecutor, High Court of Madras.



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C.KUMARAPPAN, J.

MJS

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