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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 25-03-2026

CORAM

THE HON'BLE MR.JUSTICE C.KUMARAPPAN

CRL OP No. 7524 of 2026

Periyasamy

..Petitioner

Vs

The State Rep By
The Inspector of Police
All Women Police Station,
Attur,
Salem District.
(Crime No.7 of 2026)

..Respondent

Prayer: Criminal Original Petition filed under section 483 of BNS Act to enlarge the petitioner on bail in pending trial in Spl.S.C.No.41 of 2026 on the file of the learned Sessions Judge, Principal POCSO Court, Salem in Crime No.7 of 2026.

For Petitioner:

Mr.W.Camyles Gandhi

For Respondent:

Mr.S.Vinoth Kumar
Government Advocate (Crl.Side)

ORDER

The petitioner, who was arrested and remanded to judicial custody on 18.01.2026 for the alleged offence under Section 9(m) r/w. 10 of POCSO Act and Section 87, 115(2) of BNS Act in Crime No.7 of 2026 on the file of the respondent police, seeks bail.



2. The case of the prosecution is that the petitioner kidnapped the victim girl and attempted sexual assault on her. Hence, this case.

3. The learned counsel for the petitioner submitted that the petitioner has been incarcerated since 18.01.2026. The learned counsel appearing for the petitioner submitted that the petitioner has been falsely implicated in the present case and that he has not committed any offence as alleged by the prosecution. 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. Per contra, the learned Government Advocate (Criminal Side) appearing for the Respondent Police reiterated the prosecution case and has produced the statement recorded from the victim girl by the learned Judicial Magistrate, Attur dated 22.01.2026 under section 183(5) of BNSS against the petitioner. Hence, 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, it is



seen that though there are certain allegations against this petitioner, this Court could not find any serious allegation of physical sexual assault against the petitioner. Hence, considering the long incarceration of the petitioner since 18.01.2026 and upon the fact that charge sheet has been filed, this Court is inclined to enlarge the petitioner on bail on certain stringent 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 Sessions Judge, Principal POCSO Court Salem**, 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 stay at Villupuram and appear before the Inspector of Police, Villupuram Taluk daily at 10.30 a.m., until further orders and is directed to appear before the Court on all hearing dates;

[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.

25-03-2026

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 Sessions Judge,
Principal POCSO Court Salem
2. The Central Prison, Salem
3. The Inspector of Police
All Women Police Station,
Attur,
Salem District.
4. The Inspector of Police, Villupuram Taluk
5. The Public Prosecutor
High Court of Madras



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C.KUMARAPPAN J.

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