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CRL OP No. 7886 of 2



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 27-03-2026

CORAM

THE HON'BLE MR.JUSTICE C.KUMARAPPAN

CRL OP No. 7886 of 2026

Sugan S/o Narasimman,
Devadanam Colony,
Ponneri, Devadanam PO,
Tiruvallur.

..Petitioner(s)

Vs

The State represented by:

The Inspector of Police
Ambattur AWPS,
Ambattur.
[Crime No.11 of 2022]

..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 the Spl.SC.No.316 of 2023 pending trial on the file of Sessions Judge Special Court for Exclusive Trial of cases under POCSO act, Tiruvallur.

For Petitioner(s):	M/S. B.S.Manikandan
For Respondent(s):	Mr. S. Vinoth Kumar, Government Advocate (Criminal side)\

ORDER

The petitioner, who was arrested and remanded to judicial custody on 20.02.2026 for the alleged offences under Section 506(i) of IPC and Sections 7 and 8 of POCSO Act in Crime No.11 of 2022 on the file of the respondent police, seeks bail.



2. The *case of the prosecution* is that the petitioner has committed sexual assault on the victim and also committed criminal intimidation. Hence the case.

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3. The learned counsel appearing for the petitioner would submit that the petitioner is an innocent and he has been under incarceration since 20.02.2026. He would further submit that the petitioner has been falsely implicated in this case and he is ready and willing 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 objected the bail application. He would further submit that NBW was issued on 09.10.2025 and the petitioner was arrested on execution of NBW on 20.02.2026. He would also submitted that trial has been commenced.

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

6. The learned counsel for the petitioner would submit that this is a case of jumped bail and NBW was ordered on 09.10.2025 and the petitioner was remanded to judicial custody on execution of NBW on 20.02.2026. At this juncture, the learned Government Advocate would submit that trial has already



been commenced and so far, four witnesses have been examined and the trial is in progress. Though the petitioner has one previous case, taking into consideration of the progress in the trial, upon the fact that the petitioner is under judicial custody since 20.02.2026, this Court is inclined to enlarge the petitioner on bail, subject to the following 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 each, for a like sum to the satisfaction of the **learned Sessions Judge, Special Court for exclusive trial of cases under POCSO Act, Tiruvallur** 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 sign before the trial Court concerned for a period of 60 days and thereafter, as and when the case is posted for hearing.**

[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.

27-03-2026

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 Sessions Judge, Special Court for exclusive trial of cases under POCSO Act, Tiruvallur.
2. The Inspector of Police, Ambattur AWPS, Ambattur.
3. The Superintendent of Police, Central Prison, Puzhal, Chennai.
4. The Public Prosecutor, High Court of Madras.



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C.KUMARAPPAN, J.

MJS

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