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CRL OP No. 8171 of 2



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 01-04-2026

CORAM

THE HON'BLE MR.JUSTICE C.KUMARAPPAN

CRL OP No. 8171 of 2026

Paramasivam

..Petitioner(s)

Vs

State rep.by,
Inspector of Police,
KVR Nagar, AWPS Police Station,
Tiruppur City, Tiruppur District.
Crime No.77 of 2025.

..Respondent(s)

Criminal Original Petition has been filed under Section 483 of the Bharatiya Nagarik Suraksha Sanhita (BNSS), 2023, to enlarge the petitioner on bail in Special S.C.No.46 of 2026 (On the file of the Court of Sessions Judge, Mahalir Nedhimandran (Fast Track Mahila Court), Tiruppur in Crime No.77 of 2025 (on the file of the respondent) pending investigation on the file of the respondent.

For Petitioner(s): Mr.C.S.Saravanan

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



ORDER

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The petitioner, who was arrested and remanded to judicial custody on 20.12.2025 for the alleged offences under Sections 9(m) read with Section 10 of the Protection of Children from Sexual Offences (POCSO) Act, 2012, and Section 315(2) of the Bharatiya Nyaya Sanhita, 2023, (corresponding to Section 506(ii) of IPC), in Crime No.77 of 2025 on the file of the respondent police, seeks bail.

2. The case of the prosecution is that the defacto complainant, the mother of the victim girl and her family reside in a house belonging to the petitioner. While so, on 20.12.2025 the petitioner allegedly sexually misbehaved with the minor victim child. Hence, the case.

3. The learned counsel for the petitioner would submit that the allegations against the petitioner are false. He further submits that the petitioner and the victim's family have an ongoing dispute regarding the rent, and the FIR has been registered solely for this reason. He emphasizes that the petitioner has been in custody since 20.12.2025 and that his further incarceration is not required for the purpose of investigation. Hence, he prays for the grant of bail.

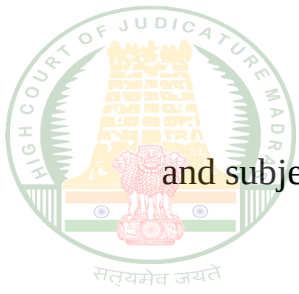


4. The learned Government Advocate (Criminal Side) appearing for the respondent police, while opposing the grant of bail to the petitioner, reiterated the prosecution case and submitted that the victim's statement under Section 183(5) of the Bharatiya Nagarik Suraksha Sanhita (BNSS), 2023, has been recorded and produced before this Court. He further submitted that the investigation has been completed.

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

6. Considering the facts and circumstances of the case, the period of incarceration undergone by the petitioner since 20.12.2025, the fact that there is no allegation of penetrative sexual assault, and that the investigation has already been completed, this Court is of the view that further custodial interrogation is not required. While the alleged conduct of the petitioner is serious, taking into account the nature of the allegations and the current stage of the proceedings, this Court is inclined to grant bail to the petitioner subject to certain conditions.

7. Accordingly, the petitioner is ordered to be released on bail on their 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, Mahalir Needhimandram, Fast Track Mahila Court, 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 sign before the respondent police twice a day at 10.30 a.m. and 05.30 a.m. for a period of 15 days and 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 petitioners 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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[f] if the petitioner thereafter abscond, a fresh FIR may be registered under Section 269 of the Bharatiya Nyaya Sanhita, 2023.

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Index: Yes/No
Speaking/Non-speaking order
Neutral Citation: Yes/No

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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, Mahalir Needhimandram, Fast Track Mahila Court, Tiruppur.
- 2.The Superintendent, Central Prison, Coimbatore.
- 3.The Inspector of Police, KVR Nagar, AWPS Police Station, Tiruppur City, Tiruppur District.
- 4.The Public Prosecutor, High Court of Madras, Chennai.



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C.KUMARAPPAN, J.

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