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CRL OP No. 8086 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. 8086 of 2026

Bharath

..Petitioner(s)

Vs

State Rep. By
Inspector of Police
Udumalpet All Women Police Station,
Tiruppur District.
Crime No. 61/2025.

..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. 10 of 2026 (on the file of the Court of Sessions Judge, Mahalir Nedhimandram (Fast Track Mahila Court, Tiruppur) in Crime No. 61 of 2025 (on the file of the Respondent) pending investigation on the file of the respondent and thus render justice.

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

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



ORDER

The petitioner, who was arrested and remanded to judicial custody on 12.11.2025 for the alleged offences initially under Sections 3(a) read with 4(1) of the Protection of Children from Sexual Offences Act, 2012, and Section 127(4) of the Bharatiya Nyaya Sanhita, 2023 (corresponding to Section 342 of the Indian Penal Code), and subsequently altered to Sections 3(a) read with 4(1) of the POCSO Act, Sections 87 and 76 of the Bharatiya Nyaya Sanhita, 2023 (corresponding to Sections 366 and 354B of the Indian Penal Code), and Section 67 of the Information Technology Act, 2000, in Crime No.61 of 2025 on the file of the respondent police, seeks bail.

2. The case of the prosecution is that the petitioner is a friend of the victim girl's brother. The victim girl, aged about 14 years, allegedly eloped with the petitioner to his residence, where he is alleged to have sexually misbehaved with her. Hence, the case.

3. The learned counsel for the petitioner would submit that the allegations against the petitioner are false and that the materials would indicate that the petitioner and the victim girl were in a consensual relationship. He would further submit that the alleged occurrence took place on 17.10.2025, whereas the FIR came to be registered only on 10.11.2025. He emphasised that the petitioner has been in custody since 12.11.2025 and that further custodial



detention is not required for the purpose of investigation. Hence, he prayed for grant of bail to the petitioner.

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4. The learned Government Advocate (Crl. Side) appearing for the respondent police, while opposing the grant of bail, reiterated the prosecution case and, on instructions, submitted that the final report has already been filed and the victim's statement under Section 183(5) of the Bharatiya Nagarik Suraksha Sanhita, 2023, has been recorded and placed before this Court.

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 12.11.2025, the fact that there is no allegation of penetrative sexual assault, and that the final report has already been filed, 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 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 reside at Madurai and report before the Inspector of Police, D1 Tallakulam Police Station, Madurai, twice a day at 10.30 a.m. and 05.30 p.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



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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]*;

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

01-04-2026

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

Jeni

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, Udumalpet All Women Police Station, Tiruppur District.
- 4.The Public Prosecutor, High Court of Madras, Chennai.



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C.KUMARAPPAN, J.

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