



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 21-04-2026

CORAM

THE HON'BLE MR.JUSTICE C.KUMARAPPAN

CRL OP No. 9228 of 2026

Dhaneshkumar S/o.Gunasekaran,
No. 300, Marutha Nayagam Street,
MGR Nagar, Patlur Village,
Thiruvallur District.

..Petitioner(s)

Vs

State represented by:

The Inspector of Police
All Women Police Station,
Poonamallee, Avadi City.
[Cr.No. 8/2026]

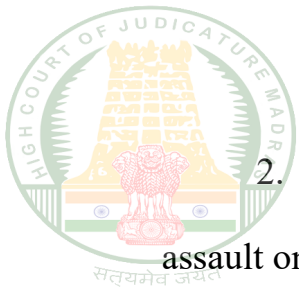
..Respondent(s)

PRAYER: The Criminal Original Petition has been filed under Section 483 of B.N.S.S. praying to enlarge the petitioner on bail pending investigation in Crime No. 8/2026 on the file of the respondent police.

For Petitioner(s):	M/S. V.Manimaran
For Respondent(s):	Mr. S. Vinoth Kumar, Government Advocate (Criminal side).

ORDER

The petitioner, who was arrested and remanded to judicial custody on 21.03.2026 for the alleged offences under Sections 5(l), 5(j)(ii), 5(n) and 6(1) of POCSO Act in Crime No.8 of 2026 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 girl. Hence the case.

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3. The learned counsel appearing for the petitioner would submit that the petitioner was remanded to judicial custody on 21.03.2026. It is the contention of the learned counsel that both the petitioner and the victim are related to each other and they were in relationship and hence prays for grant of bail to the petitioner.

4. At this juncture, the learned Government Advocate (Criminal side) appearing for the respondent police has submitted the statement of the victim girl recorded under Section 183 of B.N.S.S. before the Judicial Magistrate No.I, Poonamallee, Tiruvallur District.

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

6. From the statement of the victim under Section 183 of B.N.S.S., this Court could not find any forcible sexual assault made by the petitioner on the victim girl and this Court could only find affair between the petitioner and the victim girl. Therefore, taking into consideration of the totality of circumstances and upon the averments made in the statement recorded under Section 183 of



B.N.S.S. given by the victim girl, this Court is inclined to enlarge the petitioner on bail, subject to the following stringent conditions:

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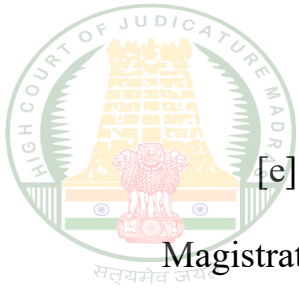
7. Accordingly, the petitioner is ordered to be released on bail on his executing a bond for a sum of Rs.25,000/- (Rupees Twenty-five Thousand only) with two sureties each, for a like sum to the satisfaction of the **learned Sessions Judge, Special Court for exclusive trial of cases under POCSO Act, 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 respondent police daily at 10.30 a.m. and 5.30 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 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.

21-04-2026

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, All Women Police Station, Poonamallee, Avadi City.
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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