



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 20-04-2026

CORAM

THE HON'BLE MR.JUSTICE C.KUMARAPPAN

CRL OP No. 9855 of 2026

C.Ponnaiya

..Petitioner

Vs

State rep. by
The Inspector of Police,
Valasaravakkam All Women Police Station
Crime No.3 of 2026

..Respondent

PRAYER : Criminal Original Petition filed under Section 483 of Bharatiya Nagarik Suraksha Sanhita, 2023, to grant bail to the petitioner pending investigation in Crime No.3 of 2026 on the file of the respondent Valasaravakkam, All Women Police Station.

For Petitioner: Mr.G.Jayamurugan

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

ORDER

The petitioner, who was arrested and remanded to judicial custody on 02.03.2026 for the alleged offence under Section 11(1) r/w 12 of the POCSO Act in Crime No.3 of 2026 on the file of the respondent police, seeks bail.

2. The case of the prosecution is that the petitioner allegedly committed acts amounting to sexual harassment against two minor girls aged about 12



years. Hence, the case was registered.

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3. The learned counsel appearing for the petitioner submitted that the allegations against the petitioner are false and there are contradictions in the complaint. It is further submitted that only one complaint was lodged though there are two victims. The learned counsel would further submit that the petitioner is ready to abide by any conditions that may be imposed by this Court. Hence, he prayed to grant bail to the petitioner.

4. The learned Government Advocate (Crl.Side) appearing for the respondent submitted that the petitioner is charged under Section 11(1) r/w 12 of POCSO Act and the 183 statement of B.N.S.S has been recorded and the victim girl has supported the prosecution. Hence, he opposed to grant bail to the petitioner.

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

6. Considering the submissions of the learned counsel on both sides, it is seen that the petitioner is alleged to have committed acts amounting to sexual harassment against two minor girls, aged about 12 years. Taking into account that the statements of the victims have already been recorded under Section 183



of the Bharatiya Nagarik Suraksha Sanhita (BNSS) and in view of the fact that the petitioner has been in incarceration since 02.03.2026, 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 his executing a bond for a sum of Rs.25,000/- (Rupees Twenty-Five Thousand only), with two sureties for a like sum each to the satisfaction of the learned Special Court for Exclusive Trial of Cases under POCSO Act, Thiruvallur, 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 report before the respondent police daily at 10.30 a.m. for a period of two weeks 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 petitioners 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.

20-04-2026

NSL

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 Special Court for Exclusive trial of cases under POCSO Act, Thiruvallur
2. The Central Prison, Puzhal
3. The Inspector of Police,
Valasaravakkam All Women Police Station
4. The Public Prosecutor, High Court of Madras.



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C.KUMARAPPAN, J.

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