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CRL OP No. 9983 of 2



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 21-04-2026

CORAM

THE HON'BLE MR.JUSTICE C.KUMARAPPAN

CRL OP No. 9983 of 2026

Aravinthan S/o Rajendiran,
No.10, Lalapettai Kolla Kottay,
Tirupathur Taluk and District

..Petitioner(s)

Vs

State represented by:

The Inspector of Police
Alangayam Police Station,
Alangayam, Tirupathur District.
[Crime No.20 of 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.20 of 2026 on the file of the respondent police.

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

ORDER

The petitioner, who was arrested and remanded to judicial custody on 02.03.2026 for the alleged offences under Section 'girl missing' and altered to Sections 5(1) read with 6 of POCSO Act and Section 9 of Prohibition of Child Marriage Act in Crime No.20 of 2026 on the file of the respondent police, seeks bail.



2. The *case of the prosecution* is that the victim girl went to School and not returned to home and she found missing. The complaint was given by the mother of the victim girl on suspicion against the petitioner. Hence the case.

3. The learned counsel appearing for the petitioner would submit that the petitioner was remanded to judicial custody on 02.03.2026. It is the contention of the learned counsel that both the petitioner and the victim 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.

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

6. According to the statement of the victim under Section 183 of B.N.S.S., the victim is aged about 15 years and from the said Statement, this Court could not find any forcible sexual assault made by the petitioner, who is aged about 23 years, on the victim girl and there are averments only to make their relationship as adolescence relationship. Therefore, taking into consideration of the totality of circumstances, upon the averments made in the



statement recorded under Section 183 of B.N.S.S. given by the victim girl and considering the incarceration period of the petitioner from 02.03.2026, 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 District and Sessions Judge, Court of Session Division of Tirupattur** 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 30 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;

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[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 District and Sessions Judge, Court of Session Division of Tirupattur.
2. The Inspector of Police, Alangayam Police Station, Alangayam, Tirupathur District.
3. The Superintendent of Police, Central Prison, Vellore.
4. The Public Prosecutor, High Court of Madras.



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C.KUMARAPPAN, J.

MJS

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