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CRL OP No. 10990 of 2



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 06-05-2026

CORAM

THE HON'BLE MRS.JUSTICE L.VICTORIA GOWRI

CRL OP No. 10990 of 2026

Dinesh M
S/o.Annadurai.

..Petitioner(s)

Vs

The State Rep.by
The Inspector of Police,
All Women Police Station Sirkazhi
Mayilduthurai District.
(Crime No.07 of 2026)

..Respondent(s)

Prayer: Criminal Original Petition filed under Section 438 of Cr.P.C read with 482 of BNSS., pleased to enlarge the petitioner on bail, in Crime No.07 of 2026 on the file of the respondent.

For Petitioner(s): Mr.P.Muthamizh Selvakumar

For Respondent(s): Mr.A.Damodharan
Additional Public Prosecutor

ORDER

The petitioner, who was arrested and remanded to judicial custody on 03.02.2026 for the alleged offences under Sections 4, 3(b), 5(n) of Protection of Child from Sexual Offences Act, 2012, in Crime No.07 of 2026 on the file of the respondent police, seeks bail.



2. The case of the prosecution is that the defacto complainant, who is the mother of the victim girl had given a complaint on 02.02.2026 to the Respondent Police stating that the maternal uncle of the victim girl, who is the Petitioner herein, had sexually abused the victim girl. On receipt of the complaint, the Respondent Police had arrested the Petitioner and remanded him in judicial custody. Thereafter, the final report has also been filed before the Trial Court. When the Petitioner sought for Bail before the Trial Court, the same was dismissed on 20.02.2026. Aggrieved against the dismissal order, the Petitioner is before this Court.

3. The learned counsel for the Petitioner submits that the Petitioner is an innocent person and he has been falsely implicated in this case. He would further submit that the petitioner was arrested and is in judicial custody from 03.02.2026. He further submits that the petitioner is ready to abide by any stringent condition that may be imposed by this court and sought for enlarging the Petitioner on bail.

4. The learned Additional Public Prosecutor appearing for the Respondent police reiterated the prosecution case and submitted that the mother of the victim girl had given complaint against the Petitioner and had objected for grant of bail. Hence, he opposed to grant bail to the Petitioner.



5. Heard both sides and perused the materials available on record including the First Information Report.

6. Considering the submission of the learned counsel for the Petitioner and also the fact that the Petitioner has assured to execute adequate sureties together with any other condition to be imposed by this Court, this Court is inclined to grant bail to the Petitioner on certain conditions.

7. Accordingly, the petitioner is directed to deposit a sum of **Rs.50,000/- (Rupees Fifty Thousand only)** to the credit of **Crime No.07 of 2026** before the concerned magistrate and on such deposit, the victim is permitted to withdraw the amount on filing undertaking affidavit and on production of proper identification and acknowledgment. Accordingly, the Petitioner is ordered to be released on bail on his executing a bond for a sum of **Rs.10,000/- (Rupees Ten Thousand only)**, with **two sureties** each for a like sum to the satisfaction of the **learned District and Sessions Judge, Mayiladuthurai**, and subject to the following conditions:

(a) If the petitioner fails to surrender before the concerned learned Magistrate within a period of fifteen (15) days from the date of receipt of a copy of this order, this order shall stand automatically cancelled;



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(b) 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 identify proofs to ensure their identity;

(c) The petitioner shall report before the Respondent police daily at 10.30 a.m for a period of three weeks and thereafter as and when required for interrogation.

(d) On breach of any of the aforesaid conditions, the learned Magistrate/Trial Court is entitled to take appropriate actions against the petitioner in accordance with law as if the conditions have been imposed and the petitioner released on anticipatory bail by the learned Magistrate/Trial Court himself as laid down by the Hon'ble Supreme Court in *P.K.Shaji v. State of Kerala [(2005) AIR SCW 5560]*;

(e) If the petitioner thereafter absconds, a fresh FIR can be registered under Section 269 of BNS Act.

06.05.2026

jas/vsn

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 official website of this Court will be watermarked and will also have a QR code.



To

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1. The District and Sessions Judge, Mayiladuthurai.
2. The Inspector of Police,
All Women Police Station Sirkazhi
Mayilduthurai District.
3. The Superintendent of Police,
Central Prison, Trichy.
4. The Public Prosecutor,
High Court of Madras.



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L.VICTORIA GOWRI, J.

vsn/jas

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