



WEB COPY

CRL OP No. 10888 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. 10888 of 2026

Babu

..Petitioner/A1

Vs

State rep by
The Inspector of Police,
W-7, AWPS, Anna Nagar Police Station
Chennai,
Crime No. 721 of 2025.

..Respondent

Prayer: Criminal Original Petition filed under Section 483 of BNSS Act, 2023 praying to enlarge the petitioner on bail in Crime No.721 of 2025 pending on the file of the respondent.

For Petitioner:

Mr.B.S.Manikandan

For Respondent:

Mr.V.J.Priyadarsana

Government Advocate [Criminal Side]

ORDER

The petitioner, who was arrested and remanded to judicial custody on 13.12.2025 for the offences punishable under Section 87 of BNS and Sections 5(1) r/w.6(1), 3(a) r/w.4(2) of POCSO Act, in Crime No.721 of 2025 on the file of respondent police seeks bail.



2. The allegation against the petitioner is that the victim girl kidnapped by the first accused and repeated penetrative sexually assaulted by the accused.

Based on the complaint lodged by the father of the victim girl, a case has been registered and the petitioners were arrested and remanded to judicial custody on 13.12.2025.

3. The learned counsel for the petitioner submitted that the petitioner has been falsely implicated based on the confession statement given by the co-accused. He further submitted that the petitioner was arrested and remanded to judicial custody from 13.02.2025 and he is ready to co-operate with the investigation. He further submitted that the co-accused, namely, A2 in this case has been enlarged on bail in Crl.M.P.No.288 of 2026, dated 09.03.2026 and A3 in this case has been enlarged on bail in Crl.M.P.No. 223 of 2026, dated 04.03.2026 by the Trial Court. Hence, he prayed to grant bail to the petitioner.

4. Mr. V.J. Priyadarsana, learned Government Advocate (Criminal Side) appearing for the respondent police, reiterated the prosecution case and submitted that the petitioner aged about 35 years and the victim girl who aged about 15 years. The petitioner and others took the victim girl and the petitioner/A1 tied a *thali* and thereafter, he had committed penetrative sexually assaulted on her. He further submitted that investigation is not yet completed. Therefore, he opposed to grant bail to the petitioner.



5. Considering the period of incarceration of the petitioner from 13.02.2025; that the co-accused, namely, A2 in this case has been enlarged on bail in Crl.M.P.No.288 of 2026, dated 09.03.2026 and A3 in this case has been enlarged on bail in Crl.M.P.No. 223 of 2026, dated 04.03.2026 by the Trial Court; that the investigation almost has been completed, this Court is inclined to grant bail to the petitioner/A1 with certain conditions:-

6. Accordingly, the petitioner is ordered to be released on bail on his executing a bond for a sum of **Rs.20,000/- (Rupees Twenty Thousand only)** with **two sureties**, for a like sum to the satisfaction of the **learned Special Court for Exclusive Trial of Cases under the POCSO Act, Chennai**, 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] that the petitioner/A1 shall report before the respondent police daily at 10.30 am until further orders.



[c] 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]**;

[d] If the accused thereafter absconds, a fresh FIR can be registered under Section 269 of B.N.S.

06.05.2026

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

To

- 1.The Special Court for Exclusive Trial of Cases under the POCSO Act, Chennai.
- 2.The Superintendent, Central Prison, Puzhal.
- 3.The Public Prosecutor, High Court of Madras.
- 4.The Inspector of Police,
W-7, AWPS, Anna Nagar Police Station
Chennai, Crime No. 721 of 2025.

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.



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L.VICTORIA GOWRI, J.,

MSM

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