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CRL OP No. 11953 of 2026



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 13-05-2026

CORAM

THE HON'BLE MR.JUSTICE P. DHANABAL

CRL OP No. 11953 of 2026

Manikandan,
S/o.Gopi

... Petitioner

Vs

The State Rep. by,
Inspector of Police,
W10 All Women Police Station,
Flower Bazaar,
Chennai – 600 001.
(Crime No.3 of 2026)

... Respondent

Prayer : Criminal Original Petition filed under Section 483 of BNSS, 2023, seeking to enlarge the petitioner on bail in Crime No.3 of 2026 on the file of Inspector of Police, W10 All Women Police Station, Flower Bazaar, Chennai.

For Petitioner : Mr.V.Stalin
For Respondent : Mr.R.Vinothraja
Government Advocate (Crl.Side)

ORDER

The petitioner, who was arrested and remanded to judicial custody on 05.02.2026 for the alleged offence under Sections 5(1) r/w 6 of POCSO Act, 2012 and 351(3) of BNS, 2023, in Crime No.3 of 2026, on the file of the respondent police, seeks bail.



2. The case of the prosecution is that in the month of July 2025, when no one was present at the petitioner's house, he lured the victim girl with affectionate words, threatened her and committed penetrative sexual assault against her and thereafter, he had committed sexual assault on the victim girl on several occasions. Hence, the case.

3. Learned counsel appearing for the petitioner submits that the petitioner is an innocent person and due to a family dispute between the petitioner and the defacto complainant, the petitioner has been falsely implicated in this case. He further submits that the petitioner has been under incarceration since 05.02.2026 and the petitioner is ready to abide by any condition that may be imposed by this Court. Hence, he prayed to grant bail.

4. The learned Government Advocate (Crl.Side) appearing for the respondent police reiterated the prosecution case and submitted that the investigation was completed and charge sheet was filed before the court concerned. However, he opposed to grant bail to the petitioner.

5. Heard both sides and perused the materials available on record.



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6. Considering the rival submissions made by the learned counsel on either side, the nature of the offences, considering the fact that already investigation was completed and charge sheet was also filed and also considering the period of incarceration undergone by the petitioner, this Court is inclined to grant bail to the petitioner, subject to certain conditions.

[a] 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 Special Judge for Exclusive Trial of case under POCSO Act at Chennai** and on further conditions that:-

[b] the petitioner shall report before the trial court on all working days at 10.30 a.m. until further orders.

[c] the petitioner shall not commit any offence similar to the offence of which he is accused, or suspected, or of the commission of which he is suspected;

[d] the petitioner shall not abscond either during investigation or trial;

[e] the petitioner shall not directly or indirectly make any inducement, threat or promise to any person acquainted with the facts of the case so as to dissuade him from disclosing such facts to the Court or to any police officer or tamper with the evidence;



[f] On breach of any of the aforesaid conditions, the learned Judicial Magistrate/Trial Court is entitled to take appropriate action against the petitioner in accordance with law as if the 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)AIR SCW 5560].

[g] If the accused thereafter absconds, a fresh FIR can be registered under Section 269 BNS.

13-05-2026

index: Yes/No
Internet: Yes/No
Speaking/Non Speaking order
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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 Judge for Exclusive Trial of case under POCSO Act at Chennai.

2.The Public Prosecutor, Madras High Court, Chennai.

3.The Inspector of Police, W10 All Women Police Station, Flower Bazaar, Chennai – 600 001.

4. The Superintendent of Police, Central Prison, Puzhal, Chennai.



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P.DHANABAL, J.

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