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CRL OP No. 13012 of 2026



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 20.05.2026

CORAM

THE HON'BLE MR.JUSTICE R.SAKTHIVEL

CRL OP NO.13012 OF 2026

Karthik
S/o. Karunakaran
No.146, Gandhi Street,
Vadakku Kolakudi,
Kattumannarkoil.

..Petitioner / Accused

Vs.

State rep. by
Inspector of Police
All Women Police Station,
Sethiyathope,
Cuddalore district.
Crime No.40 of 2025

.. Respondent /
Complainant

PRAYER: Criminal Original Petition filed under Section 483 of the Bharatiya
Nagarik Suraksha Sanhita (BNSS), 2023 praying to enlarge the petitioner on
bail in Crime No.40 of 2025 on the file of the respondent police and thus render
Justice

For Petitioner : Mr.R.Annamalai

For Respondent : Mr.L.Baskaran
Government Advocate (Criminal Side)



ORDER

This Criminal Original Petition has been filed by the petitioner on 11.05.2026 under Section 483 of Bharatiya Nagarik Suraksha Sanhita (BNSS), 2023 praying to grant bail.

2. The petitioner / accused was arrested and remanded to judicial custody on 16.11.2025 for the alleged offences punishable under Sections 96, 137(2), 127(2) and 351(2) of BNS, 2023 and r/w Sections 3, 17 and 4 of the Protection of Children from Sexual Offences Act, 2012 in Crime No.40 of 2025 on the file of the respondent police.

3. The case of the prosecution is that on 11.11.2025, the petitioner and his friend picked up the victim and took her near a pond and had a long conversation. Then in the evening, he compelled her and had intercourse with her and thereafter threatened her with dire consequences. Hence this case.

4. The learned counsel for the petitioner submits that the petitioner is an innocent person and he has not committed any offence as alleged by the prosecution. He further submits that the petitioner has been in judicial custody since 16.11.2025. He further submits that the petitioner is ready to abide by any stringent conditions that may be imposed by this Court. He therefore prays to grant bail to the petitioner.



5. *Per contra*, Mr.L.Baskaran, learned Government Advocate (Criminal Side) appearing for the respondent police, submits that the investigation is completed and the charge sheet has been taken on file in Spl.S.C.No.29 of 2026. The learned Government Advocate (Criminal Side) contends that if the petitioner is released on bail, there is high possibility that he may pose threat to the victim. Accordingly, he prays for the dismissal of this petition.

6. Heard on both sides. This Court has perused the records.

7. The petitioner was arrested on 16.11.2025 and he is under incarceration since then. On perusal of the statement recorded from the victim girl under Section 183(5) of BNSS, it reveals that the victim girl was threatened by the petitioner with dire consequences. Considering the facts and circumstances of the case, the submissions made on either side and the period of incarceration, this Court is inclined to grant bail to the petitioner, however, subject to certain conditions. Accordingly, bail is granted to the petitioner subject to the following conditions:

(i) The petitioner shall execute a bond for Rs.25,000/- (Rupees Twenty Five Thousand only) along with two sureties each for a like sum of Rs.25,000/- (Rupees Twenty Five Thousand Only) to the satisfaction of the Principal Special Court for Exclusive Trial of Cases under POCSO Act, Cuddalore.



(ii) The sureties shall affix their photographs and left thumb impression in the Application for Suretyship [Judicial Form No.46 annexed to 'The Criminal Rules of Practice, 2019]. The learned Principal Special Court for Exclusive Trial of Cases under POCSO Act, Cuddalore shall obtain a copy of any one of their identity proofs to ensure their identity.

(iii) The petitioner shall stay at Villupuram and shall appear and sign before the learned Judicial Magistrate Court – I, Villupuram daily twice, at 10.30 a.m, and 05.30 p.m, until further orders.

(iv) The petitioner shall not enter into the victim's house or her work place.

(v) The petitioner shall furnish his residence address and mobile number to the Principal Special Court for Exclusive Trial of Cases under POCSO Act, Cuddalore.

(vi) The petitioner shall not, directly or indirectly, cause any threat to the victim girl, *defacto* complainant and witnesses and shall not tamper the evidence.

(vii) On breach of any of the aforementioned conditions, the Principal Special Court for Exclusive Trial of Cases under POCSO Act, Cuddalore is entitled to pass appropriate orders against the petitioner in accordance with law as if the aforementioned conditions are imposed by him as laid down by the Hon'ble Supreme Court in ***P.K. Shaji vs. State of Kerala*** [(2005) 13 SCC 283].



8. Accordingly, this Criminal Original Petition is allowed subject to the conditions stated *supra*.

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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 Principal Special Court for
Exclusive Trial of Cases under POCSO Act
Cuddalore.
2. The Judicial Magistrate – I
Villupuram.
3. The Inspector of Police
All Women Police Station
Sethiyathope,
Cuddalore District.
4. The Superintendent of Prison
Central Prison, Cuddalore.
5. The Public Prosecutor,
High Court, Madras.



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R.SAKTHIVEL, J.

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