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CRL OP No. 11992 of 2



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 13-05-2026

CORAM

THE HON'BLE MR.JUSTICE P. DHANABAL

CRL OP No. 11992 of 2026

Rajib Ahmed

..Petitioner(s)

Vs

The State Rep By,
The Inspector of Police
All Women Police Station,
Palladam,
Tiruppur.
Crime No.16 of 2023.

..Respondent(s)

Criminal Original Petition filed under Section 483 of BNSS to enlarge the petitioner on bail concerned in Spl.S.C.No.09 of 2024 pending trial before the learned Sessions Judge, Magalir Neethimandram, Tiruppur, on such terms and conditions as this Honourable Court may deem fit.

For Petitioner(s): Mr.M.N.Balakrishnan

For Respondent(s): Mr.R.Vinothraja,
Government Advocate (Crl. Side)

ORDER

The petitioner/sole accused, who was arrested and remanded to judicial custody on 19.12.2025, for the offences under Sections 5(l), 5(m), 5(n) r/w. 6 of POCSO Act, 2012 and Sections 506(ii) and 376AB of IPC, in Spl.S.C.No.9 of



2024 on the file of the Magalir Neethimandram (FTMC), Tiruppur, seeks bail.

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2.The case of the prosecution is that the petitioner is the stepfather of the victim girl aged about 13 years. Taking advantage of the absence of the mother of the victim, the petitioner has committed penetrative sexual assault on the victim girl on several occasions. Hence, the case.

3.Learned counsel for the petitioner would submit that, initially, the petitioner was granted bail and at the time of trial proceedings, from 09.01.2025 till 18.12.2025, the petitioner could not appear before the Sessions Court due to illness and therefore, NBW was issued against him on 12.02.2025 and upon execution of the same on 19.12.2025, the accused was remanded to judicial custody on the same day, i.e., on 19.12.2025. The learned counsel would further submit that the petitioner undertakes to appear before the trial Court for all future hearings and he is ready to abide by any conditions imposed by this Court. He would further submit that the petitioner is in incarceration for more than five months and hence, prays for grant of bail.

4.*Per contra*, Mr.R.Vinothraja, learned Government Advocate (Crl. Side), appearing for the respondent Police, would submit that the petitioner hails from Assam and if the petitioner is enlarged on bail, there is every possibility of the petitioner absconding once again and therefore, opposes for



grant of bail.

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5. Heard the learned counsel on either side and perused the entire materials on record.

6. Considering the rival submissions and the nature of offence and also considering the fact that, originally, the petitioner was granted bail and only for his non-appearance during trial, he was issued with NBW and the same was executed and now, he is in judicial custody and the case is pending trial, and also considering the period of incarceration undergone by the petitioner for nearly five months, I am inclined to grant bail to the petitioner, subject to the following conditions:

[a] 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 Sessions Judge, Magalir Neethimandram (FTMC), Tiruppur, and on further conditions that:

[b] the petitioner shall report before the learned Sessions Judge, Magalir Neethimandram (FTMC), Tiruppur, daily 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 229A IPC.

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

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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 Sessions Judge,
Magalir Neethimandram (FTMC),
Tiruppur.
2. The Inspector of Police
All Women Police Station,
Palladam,
Tiruppur.
3. The Public Prosecutor,
High Court, Madras.
4. The Superintendent,
Central Prison,
Coimbatore.



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P.DHANABAL J.

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