



CRL O.P. No.12140 of 2026

IN THE HIGH COURT OF JUDICATURE AT MADRAS

Dated : 13.05.2026

CORAM

THE HONOURABLE MR.JUSTICE.P.DHANABAL

CRL OP.No.12140 of 2026

Vallarasu

S/o.Muniyappan

..Petitioner

Vs

The State represented by:

The Inspector of Police,

Jolarpet Police Station.

.... Respondent

PRAYER: - The Criminal Original Petition is filed under Section 483 of B.N.S.S., praying to grant bail to the petitioner in S.C.No.49 of 2025 on the file of the Principal District and Sessions Judge, Tirupathur.

For Petitioner : Mr.S.Senthilvel

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

ORDER

The petitioner, who was arrested on 03.11.2025 and remanded to judicial custody on the same day for the offences punishable under Sections 74, 75 of B.N.S. [354, 354-A IPC] in Cr. No.354 of 2025 on the file of the respondent police seeks bail.



2 The case of the prosecution is that the petitioner committed sexual assault on the victim, who is aged about 24 years and mentally retarded. Hence the case.

3 The learned counsel for the petitioner would contend that the respondent police have registered a false case against the petitioner and the petitioner is the sole breadwinner of the family. He would further submit that the petitioner is in judicial custody for more than 186 days. Hence he prayed that the petitioner may be released on bail.

4 The learned Government Advocate (Criminal Side) would submit that the petitioner has committed sexual assault on the victim, who is a mentally retarded person and in this case investigation completed and Final Report has also been and the case also numbered as S.C.No.49 of 2026 and the case is posted on 01.06.2026 for appearance of the accused. Hence he opposed to grant bail to the petitioner.

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

6 Considering the rival submissions on either side, nature of offences and the fact that investigation completed and Final Report and the case also taken on file in S.C.No.49 of 2026 and the period of



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incarceration undergone by the petitioner, I am inclined to grant bail to the petitioner subject to the following conditions:

[a] Accordingly, the petitioner is ordered to be released on bail on condition to execute 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 Principal District and Sessions Judge, Tirupathur, and on further conditions that:

[b] the petitioner shall report before the trial Court 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



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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

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 Inspector of Police, Jolarpet Police Station.
2. The Principal District and Sessions Judge, Tirupathur,
3. The Public Prosecutor, Madras High Court.

Copy to:

The Superintendent of Prison, Central Prison, Vellore.



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P.DHANABAL,J

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