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CRL OP No. 12078 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. 12078 of 2026

B. Jagadeesh

..Petitioner(s)

Vs

The State Rep By
The Inspector of Police
Thiruvallam Police Station,
Vellore.
Crime No.60 of 2025

..Respondent(s)

Criminal Original Petition filed under Section 483 of BNSS to enlarge the petitioner on bail concerned in Spl.SC.No.223 of 2025 pending trial before the learned Sessions Judge, Special Court for Exclusive Trial of Cases under POCSO Act, Vellore.

For Petitioner(s): Mr.N.Arun Kumar

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

ORDER

The petitioner/accused, who was arrested and remanded to judicial custody on 19.03.2026 for the offences under Sections 137(2), 65(1), 63(d)(vi) of BNS, 2023 and Sections 4, 3(a) r/w. 4(2) of POCSO Act, in Spl.S.C.No.223



of 2025 on the file of the Special Court for Exclusive Trial of Cases under POCSO Act, Vellore, seeks bail.

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2.The case of the prosecution is that the petitioner kidnapped the victim girl, aged about 16 years, and had physical relationship with her. Hence, the case.

3.Learned counsel for the petitioner would submit that the petitioner and the victim girl are in love with each other. Originally, the petitioner was arrested and subsequently, he was released on bail during the year 2025. After filing of charge sheet in Spl.S.C.No.223 of 2025, the petitioner could not appear before the Special Court due to his illness. Hence, NBW was issued as against the petitioner for his non-appearance on 17.02.2026 and it was executed on 19.03.2026 and the petitioner is now in incarceration for more than nearly two months. The learned counsel would submit that the petitioner will abide by any conditions and will cooperate for expeditious disposal of the case. Hence, he prays for bail.

4.*Per contra*, Mr.R.Vinothraja, Government Advocate (Crl. Side) appearing for the respondent Police, would submit that the petitioner has kidnapped a minor girl and has committed aggravated penetrative sexual assault on her and now, investigation was completed, and one more case in Crime



No.24 of 2026 has also been registered as against the petitioner for child marriage, wherein also, investigation is complete. Considering the gravity of the offence, he opposed for grant of bail.

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

6.Considering the rival submissions and the nature of offence and also considering the love affair between the petitioner and the victim girl and also the fact that investigation was completed in both the cases registered against the petitioner and also having regard to the period of incarceration undergone by the petitioner from 19.03.2026, 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 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 learned Sessions Judge, Special Court for Exclusive Trial of Cases under POCSO Act, Vellore, and on further conditions that:

[b] the petitioner shall report before the concerned POCSO Court on every Monday 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.

13-05-2026

Index: Yes/No

Speaking/Non-speaking order

Neutral Citation: Yes/No

MKN

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,
Special Court for Exclusive Trial of Cases under POCSO Act,
Vellore.
2. The Inspector of Police,
Thiruvalam Police Station,
Vellore District.
3. The Public Prosecutor,
High Court of Madras.
4. The Superintendent of Police,
Central Prison,
Vellore.



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P.DHANABAL J.

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