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CRL OP No. 12926 of 2



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 14-05-2026

CORAM

THE HON'BLE MR.JUSTICE P. DHANABAL

CRL OP No. 12926 of 2026

Kathirvel

..Petitioner(s)

Vs

State rep by The Inspector of Police,
All Women Police Station,
Sankari,
Salem District.
Crime NO.82 of 2025.

..Respondent(s)

PRAYER: - The Criminal Original Petition is filed under Section 483 of B.N.S.S., praying to enlarge the Petitioner on bail in pending trial in Spl.S.C.No.57 of 2026 on the file of the Special Judge, Special Court for Exclusive Trial of Cases Under POCSO Act, Salem in Crime No.82 of 2025 on the file of the respondent police Act, Salem in Crime No.82 of 2025 on the file of respondent police and thus render justice.

For Petitioner(s):	Mr.W.Camyles Gandhi
For Respondent(s):	Mr.R.Vinothraja Government Advocate (Crl. Side)

ORDER

The petitioner, who was arrested and remanded to judicial custody on 09.01.2026 for the alleged offence under Sections 11(i), 11(iv), 5(n), 6 of POCSO Act, Section 332, 351(2) BNS, in Crime No.82 of 2025 on the file of the respondent police, seek bail.



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2.The allegation against this petitioner who is a relative of the victim girl is that he continuously stalked her and compelled her to have sexual relationship with him and when the same was refused by the victim girl he abducted the victim girl to a lonely place and committed aggravated sexual assault on her. Hence, this case.

3.The learned counsel appearing for the petitioner submitted that the petitioner has not committed any offence as alleged by the prosecution and he has been falsely implicated in this case and he is in judicial custody from 09.01.2026. He further submitted that the petitioner is ready to co-operate with the investigation. Hence, prays to grant bail.

4.The learned Government Advocate (Criminal Side) appearing for the respondent, while opposing the grant of bail to the petitioner, reiterated the prosecution case and submitted that the investigation has already been completed and that there are no previous cases pending against the petitioner. However, he vehemently opposed the grant of bail to the petitioner.

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



6. Considering the rival submissions and the nature of the offence and the submission of the learned Government Advocate (Criminal Side) that the investigation has already been completed and that there are no previous cases pending against the petitioner, and also considering the period of incarceration undergone by the petitioner, this Court is 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 **learned Special Judge, Special Court for Exclusive Trial of Cases under POCSO Act, Salem** and on further conditions that:

[b] the petitioner shall report before the learned Special Judge, Special Court for Exclusive Trial of Cases under POCSO Act, Salem 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 229A IPC.

14-05-2026

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

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.



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To

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1.The Special Judge, Special Court for Exclusive
Trial of Cases Under POCSO Act, Salem

2.The Inspector of Police,
All Women Police Station,
Sankari,
Salem District.

3.The Public Prosecutor,
High Court, Madras.

4.The Superintendent,
Central Prison, Salem.



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P.DHANABAL, J.

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