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CRL OP No. 12187 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. 12187 of 2026

Akash

..Petitioner(s)

Vs

State Rep. by
The Inspector of Police
Mappeddu Police Station,
Tiruvallur District.
Crime No. 36 of 2026

..Respondent(s)

Criminal Original Petition filed under Section 483 of BNSS to enlarge the petitioner on bail in Crime No. 36 of 2026 on the file of the respondent police and thereby render justice.

For Petitioner(s): Mr.K.Balachandar

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

ORDER

The petitioner/accused, who was arrested and remanded to judicial custody on 23.02.2026, for the offences under Sections 5(l), 5(j)(ii) r/w. 6(1) of POCSO Act, in Crime No.36 of 2026 on the file of the respondent Police, seeks bail.



2.The case of the prosecution is that, on 08.02.2026 at about 10.50 p.m., the respondent Police received an information from the Government Hospital, Thiruvallur, stating that a victim girl aged about 16 years is admitted in the delivery ward. When the respondent Police reached the hospital, the victim girl had delivered a baby and the girl stated that she is studying 12th Std. Earlier, when she visited her grandmother's home, where the petitioner is also residing, she developed love affair with the petitioner and thereafter, in April, 2025, the petitioner called the victim girl into his house and had physical intercourse with her and subsequently, the victim girl went to her native and later, when she was admitted in hospital, she came to know that she was pregnant. Hence, the case.

3.Learned counsel for the petitioner would submit that the petitioner and the victim girl are in love with each other. He would further submit that the petitioner is in incarceration for nearly three months. He would further submit that, in all the previous cases, bail has been granted to the petitioner 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 has committed aggravated penetrative sexual assault on the minor girl and now, the investigation is also complete and there are 5 previous cases pending as against



the petitioner and hence, considering the seriousness of the offence, he opposed 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 there is a love affair between the petitioner and the victim girl and considering that the investigation is now complete and also considering the fact that, though there are previous cases pending against the petitioner, in all the cases, bail has been granted to him, and also considering the period of incarceration undergone by the petitioner for nearly three 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, Special Court for Exclusive Trial of Cases under POCSO Act at Thiruvallur, and on further conditions that:

[b] the petitioner shall report before the Special Court for Exclusive Trial of Cases under POCSO Act at Thiruvallur 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.

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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
Thiruvallur.
2. The Inspector of Police
Mappeddu Police Station,
Tiruvallur District.
3. The Public Prosecutor,
High Court, Madras.
4. The Superintendent,
Central Prison,
Puzhal-II, Chennai.



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P.DHANABAL J.

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