



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 20-05-2026

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THE HON'BLE MR.JUSTICE R.SAKTHIVEL

CRL OP No. 13013 of 2026

Moideen Abdul Khader @ Mohideen

..Petitioner(s) / Accused

Vs

The State of Tamil Nadu Rep by
The Inspector of Police
W13 Washermenpet All Women Police Station,
Chennai.
(Crime No.01 of 2026)

..Respondent(s)/
Complainant

PRAYER:- Criminal Original Petition filed under Section 483 of the Bharatiya
Nagarik Suraksha Sanhita (BNSS), 2023 praying to enlarge him on bail pending
investigation of the case connected with the Crime No.01 of 2026 (on the file of
the Inspector of Police, W13, Washermenpet All Women Police Station,
Chennai).

For Petitioner(s): Mr.M. Illiyas

For Respondent(s): Mr.L.Baskaran,
Government Advocate (Criminal Side)

ORDER

This Criminal Original Petition has been filed by the petitioner on



11.05.2026 under Section 483 of Bharatiya Nagarik Suraksha Sanhita (BNSS)

praying to grant bail.

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2. The petitioner / accused was arrested and remanded to judicial custody on **02.01.2026** for the alleged offences punishable under **Sections 5(l) r/w 6, 11(3), (4) r/w 12 of the Protection of Children from Sexual Offences Act, 2012 in Crime No.01 of 2026** on the file of the respondent police.

3. The case of the prosecution is that the petitioner and another showed the victim child, pronographic videos on his mobile phone and the victim child was subjected to repeated sexual abuse and assault by the petitioner and the petitioner recorded videos of same on his phone. Hence this case.

4. The learned counsel for the petitioner, submits that the petitioner is an innocent person and he has not committed any offence as alleged by the prosecution. He further submits that the petitioner has been in judicial custody since 02.01.2026. He further submits that the petitioner is ready to abide by any stringent conditions that may be imposed by this Court. He therefore prays to grant bail to the petitioner.

5. *Per contra*, Mr.L.Baskaran, learned Government Advocate (Criminal Side) appearing for the respondent police, submits that the charge sheet was



taken on file in Spl.S.C.No.154 of 2026. The learned Government Advocate (Criminal Side), contends that if the petitioner is released on bail, there is a high chance of him posing threat to victim once again the victim and pose a threat to both the defacto complainant and the victim. Accordingly, he prays for the dismissal of this petition.

6. Heard on both sides. This Court has perused the records.

7. The petitioner was arrested on 02.01.2026 and he is under incarceration since then. Investigation completed and charge sheet filed and the same is taken on file as Spl.S.C.No.154 of 2026. Considering the facts and circumstances of the case and the period of incarceration, this Court is inclined to grant bail to the petitioner, however, subject to certain conditions. Accordingly, bail is granted to the petitioner subject to the following conditions:

(i) The petitioner shall execute a bond for ***Rs.25,000/- (Rupees Twenty Five Thousand only) along with two sureties each for a like sum of Rs.25,000/- (Rupees Twenty Five Thousand Only)*** to the satisfaction of the ***learned Special Judge for Exclusive Trial under POCSO Act, Chennai.***

(ii) The sureties shall affix their photographs and left thumb impression in the Application for Suretyship [Judicial Form No.46 annexed to 'The Criminal Rules of Practice, 2019']. The learned Sessions Judge shall obtain a copy of any one of their identity proofs to ensure their identity.



(iii) The petitioner shall stay at Tindivanam and shall appear and sign before the learned Judicial Magistrate Court, Tindivanam daily twice at 10.30 a.m, and 05.30 p.m, until further orders.

(iv) The petitioner shall not enter into the victim house and shall not contact or try to contact the victim or victim family members either directly or indirectly or through electronic mode.

(v) The petitioner shall furnish his residence address and mobile number to the concerned Judge.

(vi) The petitioner shall not, directly or indirectly, cause any threat to the victim, defacto complainant and witnesses and shall not tamper the evidence.

(vii) On breach of any of the aforementioned conditions, the learned learned Special Judge for Exclusive Trial under POCSO Act, Chennai is entitled to pass appropriate orders against the petitioner in accordance with law as if the aforementioned conditions are imposed by them as laid down by the Hon'ble Supreme Court in ***P.K. Shaji vs. State of Kerala*** [(2005) 13 SCC 283].

8. Accordingly, this Criminal Original Petition is allowed subject to the conditions stated *supra*.

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*- Typographical error occurred in Spl. Case number is rectified.

Sd/- (RSVJ)
26/05/2026

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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 learned Special Judge for
Exclusive Trial under POCSO Act, Chennai.
2. The learned Judicial Magistrate Court,
Tindivanam.
3. The Superintendent of Prison,
Central Prison, Puzhal.
4. The Inspector of Police
W13 Washermenpet All Women Police Station,
Chennai.
5. The Public Prosecutor,
High Court, Madras.



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R.SAKTHIVEL, J.

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