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CRL OP No. 12568 of 2026



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 14.05.2026

CORAM

THE HON'BLE MR.JUSTICE P. DHANABAL

CRL OP No. 12568 of 2026

S.Duraiyan

..Petitioner

Vs

State rep by,
The Inspector of Police,
All Women Police Station,
Dharapuram,
Tiruppur District.
(Crime No.22 of 2025)

..Respondent

Prayer : Criminal Original Petition filed under Section 483 of BNSS, 2023, to enlarge the petitioner on bail in S.C.No.224 of 2025 on the file of the learned Mahalir Neethi Mandram (Fast Track Mahila Court), Tiruppur.

For Petitioner : Mr.Elizabeth Ravi

For Respondent : Mr.V.J.Priyadarsana
Government Advocate (Crl.Side)

ORDER

The petitioner, who was arrested and remanded to judicial custody on 01.07.2025 for the alleged offence under Sections 5(1), 5(k) read with Section 6 of POCSO Act, 2012 and 351(2) of BNS, 2023 in Crime No.22 of 2025, on the file of the respondent police, seeks bail.



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2. Learned counsel for the petitioner submitted that the petitioner is an accused facing trial in S.C.No.224 of 2025 on the file of the learned Mahalir Neethi Mandram (Fast Track Mahila Court), Tiruppur. He further submitted that due to illness, he was unable to appear before the trial Court, and he was issued with the non-bailable warrant and pursuant to the same, he was arrested on 01.07.2025. He also submitted that the petitioner will undertake that hereafter he will regularly appear before the trial Court on all hearing dates and also stated that he is prepared to comply with any stringent conditions that may be imposed by this Court. Therefore, he prays for grant of bail to the petitioner.

3. Learned Government Advocate (Crl.Side) appearing for the respondent police submitted that the petitioner is facing trial in S.C.No.224 of 2025 on the file of the learned Mahalir Neethi Mandram (Fast Track Mahila Court), Tiruppur, has failed to appear before the trial Court, the trial Court has issued a NBW against the petitioner and based on which, petitioner was remanded to judicial custody on 01.07.2025. He further submitted that, now the case is posted for examination of Investigation Officer. Hence, he vehemently opposed to grant of bail to the petitioner.



4. Heard both sides and perused the materials available on record including the First Information Report.

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5. Considering the nature of allegations, already petitioner was granted bail and due to his non-appearance, NBW was issued by the trial Court and the same was executed and the petitioner was arrested on 01.07.2025 and now the case is posted for examination of Investigation Officer and also considering the period of incarceration undergone by the petitioner, this Court is inclined to grant bail to the petitioner, subject to certain conditions.

[a] Accordingly, 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 **Sessions Judge, Magalir Neethi Mandram (FTMC), Tiruppur**, and on further conditions that:-

[b] the petitioner shall report before the Trial Court on all working days at 10.30.a.m., and 05.00.p.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;

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[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 269 BNS.

14.05.2026

index: Yes/No
Internet: Yes/No
Speaking/Non Speaking order
sma



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, Magalir Neethi Mandram (FTMC), Tiruppur.
2. The Public Prosecutor, Madras High Court, Chennai.
3. The Inspector of Police,
All Women Police Station,
Dharapuram,
Tiruppur District.
4. The Superintendent of Police, Central Jail, Coimbatore.



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P.DHANABAL, J.

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