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CRL OP No. 12395 of 2



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 20-05-2026

CORAM

THE HON'BLE MR.JUSTICE R.SAKTHIVEL

CRL OP No. 12395 of 2026

Santhosh
S/o Gopi,
No.5, Arunthathiyar Colony,
Oteripalaiyam,
Vellore

..Petitioner / Accused

Vs

State rep by The Inspector of Police
Vellore All Women Police Station,
Vellore District.
Crime No.6 of 2026

..Respondent /
Complainant

PRAYER :- Criminal Original Petition filed under Section 483 of the Bharatiya Nagarik Suraksha Sanhita (BNSS), 2023 praying to enlarge the petitioner on bail in crime No.6 of 2026 on the file of the respondent police

For Petitioner(s): Mr.A.Manoj Kumar

For Respondent(s): Mr.L.Baskaran,
Government Advocate (Crl.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), 2023 praying to grant bail.



2. The petitioner / Accused was arrested and remanded to judicial custody on 24.03.2026 for the alleged offence punishable under Sections 5(j)(ii) r/w 6 of POCSO Act, 2012 in Crime No.6 of 2026 on the file of the respondent police.

3. The case of the prosecution is that the petitioner developed a relationship with the victim girl and, pursuant thereto, the victim girl gave birth to a female child on 12.03.2026. The victim girl was aged about 17 years at the relevant point of time. Hence the case.

4. Mr.A.Manojkumar, the learned counsel for the petitioner, submits that the petitioner is innocent and has not committed any offence as alleged by the prosecution. He further submits that the petitioner is in judicial custody since 24.03.2026. He, therefore, prayed to grant bail to the petitioner.

5. *Per contra*, Mr.L.Baskaran, the learned Government Advocate (Criminal Side) appearing for the respondent police, submits that the petitioner had developed a relationship with the victim girl and that the victim girl gave birth to a female child on 12.03.2026. He further submits that the occurrence had taken place during the month of April 2025 and that the victim was a college-going student. He also submits that the petitioner is already a married man and that the DNA test report is awaited. Accordingly, he prays for the



dismissal of this petition.

6. Heard on both sides. This Court has perused the records including the statement of the victim girl recorded under Section 183 of BNSS, 2023.

7. The alleged occurrence is stated to have taken place during the month of April 2025. The victim girl was born on 07.10.2007 and was aged about 17 ½ years at the time of alleged occurrence, hence she was having capacity to know the full import of what was doing. The victim girl is literate and a college going student. Considering the nature of the offence alleged and the period of incarceration, this Court is inclined to grant bail to the petitioner, however, subject to 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 of Cases under POCSO Act, Vellore.**

(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 **Special Judge for Exclusive Trial of Cases under POCSO Act, Vellore**, shall obtain a copy of any one of their identity



proofs to ensure their identity.

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(iii) The petitioner shall stay at Ranipet and sign before the Judicial Magistrate Court, Ranipet daily at 10.30 a.m and 5.30 p.m until further orders.

(iv) The petitioner shall not enter into a 500 meter radius of the defacto complainant's house or her work place.

(v) The petitioner shall furnish his residence address and mobile number to the **Special Judge for Exclusive Trial of Cases under POCSO Act, Vellore.**

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

(vii) On breach of any of the aforementioned conditions, the learned Special Judge for Exclusive Trial of Cases under POCSO Act, Vellore 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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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 official website of this Court will be watermarked and will also have a QR code.

To

1.The Special Judge for Exclusive Trial of Cases under POCSO Act,
Vellore.

2. The Judicial Magistrate,
Ranipet.

3.The Superintendent,
Central Prison, Vellore.

4.The Inspector of Police
Vellore All Women Police Station,
Vellore District.

5.The Public Prosecutor,
High Court, Madras.



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R.SAKTHIVEL, J.

DRL

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