



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 20-05-2026

CORAM

THE HON'BLE MR.JUSTICE R.SAKTHIVEL

CRL OP No. 12776 of 2026

Manikandan
S/o. Kaliyan,
No2/150 Koil Veethi,
MGR Street, Kuvadu Village,
Unundurpet

..Petitioner / Accused

Vs

The State Rep By,
Inspector of Police,
All Women Police Station,
Ulundurpet, Kallakurichi.
Crime No.27 of 2025

..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.27 of 2025 on the file of Inspector of police, All women Police Station, Ulundurpet, Kallakurichi.

For Petitioner: Mr.V.S.Dinesh

For Respondent: 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 24.06.2025 for the alleged offence punishable under Section 351(2) of BNS and Sections 5(I), 5(n), 5(m) and 6 of POCSO Act, 2012, in Crime No.27 of 2025 on the file of the respondent police.

3. The case of the prosecution is that the petitioner is the relative of the victim girl aged about 13 years. It is alleged that when the victim girl was alone during the night hours, the petitioner committed aggravated penetrative sexual assault on her on three occasions during the period from 06.04.2025 to 26.05.2025. Hence, the case.

4. Mr.V.S.Dinesh, learned counsel for the petitioner, submits that this is the third bail petition filed by the petitioner. He further 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 24.06.2025. He, therefore, prays 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, being a married man and relative of the victim, who is aged about 13 years has committed penetrative sexual assault. He further submits that the investigation has been completed and charge sheet has also been filed and the same is taken



on file in Spl.SC.No.130 of 2025 on the file of Principal District Judge, Kallakurichi. Accordingly, he prays for the dismissal of this petition.

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

7. 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 **Principal District and Sessions Judge, Kallakurichi.**

(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 Principal District and Sessions Judge, Kallakurichi shall obtain a copy of any one of their identity proofs to ensure their identity.

(iii) The petitioner shall stay at Villupuram and sign before the Judicial



Magistrate, Villupuram daily at 10.30 a.m and 5.30 p.m until further orders.

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

(v) The petitioner shall furnish his residence address and mobile number to the Principal District and Sessions Judge, Kallakurichi.

(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 Principal District and Sessions Judge, Kallakurichi, 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*.

DRL

20-05-2026



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 Principal District and Sessions Judge,
Kallakurichi.

2. The Judicial Magistrate,
Villupuram.

3. The Superintendent,
Central Prison, Cuddalore.

4. The Inspector of police
All Women Police Station,
Ulundurpet, Kallakurichi District.

5. The Public Prosecutor,
High Court, Madras.



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R.SAKTHIVEL, J.

DRL

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