



CRL OP No. 12412 of 2026

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 13-05-2026

CORAM

THE HON'BLE MR.JUSTICE P. DHANABAL

CRL OP No. 12412 of 2026

P. Joseph Edwinson

..Petitioner(s)

Vs

The State Represented by
The Inspector of Police
W-34 AWPS,
Ennore,
Tiruvallur .
(Crime No. 08/2026)

..Respondent(s)

PRAYER: - The Criminal Original Petition is filed under Section 483 of B.N.S.S., praying to enlarge the petitioner on bail in Cr.No.08/2026 pending before the respondent police and thus render justice.

For Petitioner(s): Mr.S.Agilan

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

ORDER

The Petitioner/Accused, who was arrested on 12.03.2026 and remanded to judicial custody on the same day for the offences punishable under Sections 7 r/w 8 & 9 (n) r/w 10 of POCSO Act in Cr. No.08 of 2026 on the file of the respondent police seeks bail.



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2.The case of the prosecution is that the victim, her father, her elder sister, and her paternal grandmother were staying along with the petitioner and his family at Chennai from 23.12.2025 to 28.12.2025. On the night of 23.12.2025, while the victim went to attend to a natural call, the petitioner allegedly kissed her (aged 17 years) on her forehead. It is stated that it was a single-bedroom flat and that all of them, namely the victim's father, elder sister, paternal aunt, paternal grandmother, the petitioner, his wife, and his two children, were sleeping in the hall. The petitioner is aged 48 years and is the victim's paternal uncle. Hence, this case.

3.The learned counsel for the petitioner would contend that the de facto complainant and her family had come to the petitioner's house for Christmas and to discuss an ongoing property dispute between brothers relating to six plots purchased in the joint family name. It is further stated that disputes arose regarding partition and allotment of shares, which led to quarrels on 27.12.2025 and 28.12.2025, after which the complainant's family left the house on 28.12.2025. It is contended that prior to that, all family members had travelled together and visited several places between 23.12.2025 and 28.12.2025. It is



further argued that if any such incident had occurred on 23.12.2025, the victim would have immediately informed her family members who were residing in the same house, and would not have continued normal interaction thereafter. The petitioner submits that the allegations are false, motivated by a property dispute, and are the result of a criminal conspiracy to prevent him from asserting his rights.

4.The learned Government Advocate (Criminal Side) would submit that the FIR was registered on 12.03.2026 and that the statement under Section 183 of the B.N.S.S. has already been recorded. Hence, he strongly opposes the grant of bail to the petitioner.

5.Heard both sides and perused the materials available on record.

6.Considering the rival submissions and the nature of the offence, and also considering the period of incarceration undergone by the petitioner, this Court is inclined to grant bail to the petitioner, subject to the following conditions:

[a] Accordingly, the petitioner is ordered to be released on bail on



condition to execute 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 Special Court for Exclusive Trial of Cases under POCSO Act, Tiruvallur** and on further conditions that:

[b] the petitioner shall report before the respondent police daily 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



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[(2005)AIR SCW 5560].

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[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
SSR

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.



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To

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1.Special Court for Exclusive Trial of Cases under
POCSO Act, Tiruvallur.

2.The Inspector of Police
W-34 AWPS,
Ennore,
Tiruvallur .

3.The Public Prosecutor,
High Court, Madras.

4.The Superintendent,
Central Puzhal Prison, Chennai.



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P.DHANABAL, J.

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