



WEB COPY

CRL OP No. 12974 of 2



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 14-05-2026

CORAM

THE HON'BLE MR.JUSTICE P. DHANABAL

CRL OP No. 12974 of 2026

Sivasakthi
S/o. Palanisamy,
No.7/42, Santhanakaruppanur,
Jallipatti,
Tiruppur District.

..Petitioner(s)

Vs

State Rep.by, The Inspector of Police,
All Women Police Station,
Udumalpet,
Tiruppur District.
Cr.No.57 of 2025.

..Respondent(s)

Criminal Original petition is filed under Section 483 of BNSS to enlarge the petitioner on bail concerned in Spl.S.C.No.300 of 2025 pending trial on the file of the Learned Sessions Judge, Magalir Neethimandram, (Fast Track Mahila Court), Tiruppur.

For Petitioner(s): Mr.M.N.Balakrishnan

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

Order

The petitioner/Accused, who was arrested and remanded to judicial custody on 28.10.2025 for the alleged offences punishable under Sections 131, 351(3) of BNS 2023 and Sections 5(1), 5(n) r/w 6 of POCSO Act, 2012, Cr.No.57 of 2025 on the file of the respondent police, seeks bail.



2. The case of the prosecution is that the petitioner, who is the step father of the victim girl, committed penetrative sexual assault on the victim girl for the past three years. Hence the case.

3. The learned counsel for the petitioner would contend that the petitioner has been falsely implicated in this case. The petitioner is an innocent and he is nothing to do with the alleged offences. The earlier bail application filed by the petitioner before this Court was dismissed. He is in judicial custody from 28.10.2025. Therefore prayed to grant bail to the petitioner.

4. The learned Government Advocate (Criminal Side) would submit that the petitioner, who is the step father of the victim girl, committed penetrative sexual assault on the victim girl. It is further submitted that the investigation has been completed and charge sheet has also been filed before the learned Sessions Judge, Magalir Nethimandram, (Fast Track Mahila Court), Tiruppur, in Spl.S.C.No.300 of 2025 and the case was posted for framing of charges. There are no previous cases pending against the petitioner. However, he strongly opposed to grant bail to the petitioner.

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

6. Considering the rival submissions made on either side, considering the fact that the petitioner is in judicial custody from 28.10.2025 and there are no previous cases against 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 Sessions Judge, Magalir Nethimandram, (Fast Track Mahila Court), Tiruppur and on further conditions that:

[b] the petitioner shall report before the learned Sessions Judge, Magalir Nethimandram, (Fast Track Mahila Court), Tiruppur, daily at 10.00 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 [(2005)AIR SCW 5560].

[g] If the accused thereafter absconds, a fresh FIR can be registered under Section 269 B.N.S.2023.

14-05-2026

Index: Yes/No

Speaking/Non-speaking order

Neutral Citation: Yes/No

SK

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 Inspector of Police,
All Women Police Station,
Udumalpet,
Tiruppur District.
2. The Sessions Judge, Magalir Nethimandram, (Fast Track Mahila Court),
Tiruppur.
3. The Superintendent of Prisons,
Central Prison, Coimbatore.



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P.DHANABAL J.

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