



WEB COPY

CRL OP No. 12803 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. 12803 of 2026

Bakiyaraj
S/o. Sankar,
Mettu Colony,
Achamangalam Village,
Achamangalam Post,
Tirupathur Taluk,
Tirupathur District.

..Petitioner / Accused

Vs

Sub Inspector of Police
Tirupathur All Women Police Station,
Tirupathur.
Crime No. 36 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. 36 of 2025 pending on the file of the Sub Inspector of Police, Tirupathur All Women Police Station, Tirupathur.

For Petitioner(s): Mr.S. Siddharth

For Respondent(s): Mr.L.Baskaran,
Government Advocate (Criminal Side)

ORDER

This Criminal Original Petition has been filed by the petitioner on 12.05.2026 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 12.11.2025 for the alleged offences punishable under Sections 65(2), 137(2) and 351(2) of BNS and Section 5(m), 5(l) and 6 of POCSO Act, in Crime No.36 of 2025 on the file of the respondent police.

3. The case of the prosecution is that on 20.10.2025 at about 3.00 p.m, while the victim girl was playing near her house, the petitioner took the minor victim girl to a lonely place and committed penetrative sexual assault on her and thereafter threatened her with dire consequences. Hence the case.

4. Mr.S.Siddharth, learned counsel for the petitioner, submits that this is the third bail petition filed by the petitioner. He further submits that the petitioner is an innocent and has not committed any offence as alleged by the prosecution. He further submits that the petitioner is in judicial custody since 12.11.2025. 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 had committed penetrative sexual assault on the victim girl. He further submits that the petitioner was already a married man. He further submits that the investigation has been completed and the charge has also been filed and the



same was taken on file in Spl.SC.No.8 of 2026 before the POCSO Court, Tirupathur. Accordingly, he prays for the dismissal of this petition.

WEB COPY

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 **learned District and Sessions Judge, Tirupathur.**

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

(iii) The petitioner shall stay at Vaniyambadi and sign before the learned Judicial Magistrate, Vaniyambadi daily twice at 10.30 a.m and 5.30 p.m until



further orders.

WEB COPY

(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 concerned District and Sessions Judge.

(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 District and Sessions Judge, Tirupathur 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*.

20-05-2026

DRL



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, Tirupathur.

2.The Superintendent,
Central Prison, Vellore.

3.The Sub Inspector of Police
Tirupathur All Women Police Station,
Tirupathur.

4.The Public Prosecutor,
High Court, Madras.

5.The Judicial Magistrate,
Vaniyambadi.



WEB COPY

CRL OP No. 12803 of 2



R.SAKTHIVEL, J.

DRL

CRL OP No. 12803 of 2026

20-05-2026