



WEB COPY

CrI.O.P.No.12588 of 2026



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 14.05.2026

CORAM

THE HONOURABLE MR.JUSTICE P.DHANABAL

CrI.O.P.No.12588 of 2026

Eshwaran

...Petitioner

Vs.

State represented by,
The Inspector of Police,
Mangalamedu AWPS Police Station,
Perambalur District.
Crime No.11 of 2026.

...Respondent

Criminal Original Petition filed under Section 483 of BNSS,
seeking to enlarge the petitioner on bail in Crime No.11 of 2026, pending
on the file of the respondent police.

For Petitioner : Mr.P.Prabu

For Respondent : Mr.V.J.Priyadarsana
Government Advocate (Criminal Side)

ORDER

The petitioner, who was arrested and remanded to judicial custody
on 19.02.2026 for the offences punishable under Sections 5(1) & 6 of the
POCSO Act r/w. Section 115(2) & 351(2) of BNS, in Crime No.11 of
2026, on the file of the respondent police, seeks bail.



2. The case of the prosecution is that the petitioner, under the pretext of disciplining the victim, threatened her, forced her onto his scooter and took her to a forest area where he sexually assaulted her and he subsequently committed sexual assault on the victim on several occasions. Hence, the case.

3. Learned counsel for the petitioner submitted that the petitioner is innocent and he has been falsely implicated in this case and that, he is in custody for about three months. He further submitted that the petitioner is ready to abide by any stringent conditions that may be imposed by this Court and also undertakes not to tamper with the witnesses. Hence, he prayed that the petitioner may be released on bail.

4. Learned Government Advocate (Criminal Side) appearing for the respondent reiterated the prosecution case and submitted that though there are no previous cases pending against the petitioner, the offences committed by the petitioner are of heinous in nature. He further submitted that the investigation has been completed and the draft final report has been made ready. Hence, he strongly opposed to grant bail to the petitioner.



WEB COPY



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

6. Considering the rival submissions made by the learned counsel on either side, nature of offences, and also considering the fact that the investigation has been completed and the draft final report has been made ready and that there are no previous cases pending against the petitioner and further taking note of the period of incarceration of the petitioner from 19.02.2026, I am 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, Mahila Court, Perambalur**, and on further conditions that:

[b] **the petitioner shall report before the POCSO Court concerned everyday at 10.30 a.m., until further orders;**

[c] the petitioner shall not commit any offence similar to the offence of which he is an 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 them 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 of B.N.S.

14.05.2026

skt

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 Sessions Judge, Mahila Court,
Perambalur.
2. The Superintendent,
Central Prison, Trichy.
3. The Inspector of Police,
Mangalamedu AWPS Police Station,
Perambalur District.
4. The Public Prosecutor,
High Court, Madras.



WEB COPY

Crl.O.P.No.12588 of 2026



P.DHANABAL, J.

skt

Crl.O.P.No.12588 of 2026

14.05.2026