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Crl.O.P.No.13034 of 2026

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 14-05-2026

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THE HONOURABLE MR. JUSTICE P. DHANABAL

CRL OP NO.13034 of 2026

Abhay Kumar Mishra

... Petitioner/ Accused

Vs

The State rep. by,
The Inspector of Police,
All Women Police Station,
KVR Nagar, Tiruppur District.
(Crime No.16 of 2025)

... Respondent

PRAYER : Criminal Original Petition filed under Section 483 of Bharatiya Nagarik Suraksha Sanhita, 2023, to grant bail to the petitioner/accused in Spl.S.C.No.172 of 2025 on the file of the learned Sessions Judge, Magalir Neethimandram, Fast Track Mahila Court, Tiruppur.

For Petitioner(s) : Mr. R. Thamarai Selvan

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

ORDER



The petitioner, who was arrested and remanded to judicial custody on 06.07.2025 for the offences punishable under Sections 5(l), 5(n) r/w 6 of POCSO in Spl.S.C.No.172 of 2025 on the file of the learned Sessions Judge, Magalir Neethimandram, Fast Track Mahila Court, Tiruppur, seeks bail.

2. The case of the prosecution is that the petitioner is the step-father of the victim girl, aged about 17 years, taking advantage of this relationship, the petitioner threatened the victim girl and committed aggravated sexual assault on her. Hence the case.

3. The learned counsel for the petitioner would contend that petitioner is innocent and he has been falsely implicated in this case and submitted that the investigation of this case was completed and the case is pending in Spl.S.C.No.172 of 2025. He further submitted that the petitioner is under judicial custody since 06.07.2025 and the petitioner is ready and willing to furnish substantial sureties and to abide by any conditions that may be imposed by this Hon'ble Court and therefore, he prayed to grant bail to the petitioner.

4. The learned Government Advocate (Criminal Side) appearing for the respondent police while opposing the bail to the petitioner, reiterated the prosecution case and submitted that the case is posted for examination of



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

6. Considering the rival submissions made on either side, the nature of offences charged against the accused and also the fact that the case is posted for examination of witnesses and taking note of 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 **Sessions Judge, Magalir Neethimandram, Fast Track Mahila Court, Tiruppur** and on further conditions that;

[b] the petitioner shall report before the **Trial Court daily at 10.30 a.m. until further orders;**

[c] the petitioner shall not commit any offence similar to the offence of which she is accused, or suspected, or of the commission of which she 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 her 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

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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

1. The Sessions Judge, Magalir Neethimandram,
Fast Track Mahila Court, Tiruppur.
2. The Inspector of Police,
All Women Police Station,
KVR Nagar, Tiruppur District.
(Crime No.16 of 2025)
3. The Superintendent,
Central Prison, Coimbatore.
4. The Public Prosecutor,
High Court of Madras.

P. DHANABAL, J.

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