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CRL OP No. 13705 of 2



IN THE HIGH COURT OF JUDICATURE AT MADRAS

**DATED: 04-06-2026**

CORAM

**THE HON'BLE MR.JUSTICE C.KUMARAPPAN**

**CRL OP No. 13705 of 2026**

Ameersohail

..Petitioner(s)

Vs

The State Rep By,  
The Inspector of Police  
All Women Police Station,  
Uthukottai,  
Thiruvallur District. Crime No.0013 of 2026

..Respondent(s)

Prayer:- Criminal Original Petition is filed under Section 483 of BNSS, 2023, pleaded to enlarge the petitioner on bail in Crime No.0013 of 2026 pending on the file of the respondent police.

|                    |                                                            |
|--------------------|------------------------------------------------------------|
| For Petitioner(s): | Mr.R.Thamarai Selvan                                       |
| For Respondent(s): | Mr.S.Yogaraja Sekar<br>Government Advocate (Criminal side) |

### **ORDER**

The petitioner, who was arrested and remanded to judicial custody on 26.03.2026 for the alleged offences under Sections 66E, 67B IT Act, 11 (4), 12, 5 (l) r/w 6 (1) of POCSO Act, 2012, 332 (c), 351 (3), 77 of BNS, in Crime No.0013 of 2026 on the file of the respondent police, seeks bail.

2. The case of the prosecution is that the petitioner and the victim are neighbours. It is alleged that the petitioner sexually assaulted the defacto-complainant's daughter. Hence the case.



3. The learned counsel for the petitioner submitted that the petitioner is innocent and has been in custody since 26.03.2026. He further submitted that the petitioner and the victim knew each other, which was disliked by the victim's parents and that they gave false complaint against the petitioner. Hence, he prays to grant bail to the petitioner.

4. At this juncture, the learned Government Advocate (Criminal Side) appearing for the respondent police produced the victim's statement recorded under Section 183 of the BNSS, wherein the victim did not support the prosecution case. Consequently, this Court is of the firm view that this is a fit case to enlarge the petitioner on bail and this is apparently a case of misuse of the POCSO Act. Hence, this Court is inclined to grant bail to the petitioner with certain conditions.

5. Accordingly, the petitioner is ordered to be released on bail on his executing a bond for a sum of Rs.25,000/- (Rupees Twenty Five Thousand only), with two sureties each for a like sum to the satisfaction of the learned **Special Court for Trial of Cases under POCSO Act Court, Tiruvallur**, and subject to the following conditions:

[a] the sureties shall affix their photographs and Left Thumb Impression in the Application for Surety ship [Judicial Form No.46 annexed to 'The Criminal Rules of



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Practice, 2019']. The learned Magistrate shall obtain a copy of any one of the identity proofs to ensure their identity;

**[b] the petitioner shall report before the respondent as and when required for interrogation;**

[c] the petitioner shall not abscond either during investigation or trial;

[d] the petitioner shall not tamper with the evidence or witness either during investigation or trial;

[e] on breach of any of the aforementioned conditions, the learned Magistrate/Trial Court is entitled to take appropriate action against the petitioner in accordance with law as if the conditions had been imposed and the petitioner released on bail by the learned Magistrate/Trial Court itself, as laid down by the Hon'ble Supreme Court in *P.K.Shaji vs. State of Kerala [(2005)13 SCC 283]*;

**[f] if the petitioner thereafter abscond, a fresh FIR may be registered under Section 269 of the Bharatiya Nyaya Sanhita, 2023.**

**04-06-2026**

ep

**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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**C.KUMARAPPAN, J.**

**EP**

To

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

2.The Superintendent of Prison,  
Central Prison, Puzhal, Chennai.

3.The Inspector of Police  
AWPS,  
Uthukottai,  
Thiruvallur.

4.The Public Prosecutor  
High Court of Madras.

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