



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 21-05-2026

CORAM

THE HONOURABLE MR.JUSTICE R.SAKTHIVEL

CRL OP No. 13387 of 2026

Mahesh, M/20,
S/o. Ramesh,
Mill Street, Sellur,
Kudavasal Taluk,
Thiruvarur District.

Petitioner / Accused

Vs

State Rep. by
The Inspector of Police
Kodavasal Police Station,
Thiruvarur District.
(Crime No.145 of 2026)

Respondent / Complainant

PRAYER:- Criminal Original Petition filed under Section 483 of the Bharatiya Nagarik Suraksha Sanhita (BNSS), 2023 to enlarge the Petitioner on bail in Crime No.145 of 2026 pending on the file of the respondent.

For Petitioner: Mr.P.Muthamizh Selvakumar

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

ORDER

This Criminal Original Petition has been filed by the petitioner on 19.05.2026 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 **26.04.2026** for the alleged offences punishable under Sections 296(B), 351(2) of BNS r/w. Section 11(4) and 12 of POCSO Act, 2012 in Crime No.145 of 2026 on the file of the respondent police.

3. The case of the prosecution is that on 26.04.2026, while the de facto complainant walking along with her friends, the petitioner allegedly misbehaved with them under intoxicated condition. Hence this case.

4. The learned counsel for the petitioner, submits that the petitioner is an innocent person and he has not committed any offence as alleged by the prosecution. He further submits that the petitioner has been in judicial custody since 26.04.2026. He further submits that the petitioner is ready to abide by any stringent conditions that may be imposed by this Court. He therefore prays to grant bail to the petitioner.

5. *Per contra*, Mr.V.J.Priyadarsana, learned Government Advocate (Criminal Side) appearing for the respondent police, submits that while the de facto complainant walking along with her friends in a public road, the petitioner along with other accused, assaulted her sexually. Investigation has been completed and charge sheet is not filed. The learned Government Advocate



(Criminal Side) contends that if the petitioner is released on bail, there is a chance to once again commit sexual assault on the victim girl and pose a threat to both, the *defacto* complainant and the victim girl. Accordingly, he prays for the dismissal of this petition.

6. Heard on both sides. This Court has perused the records.

7. The petitioner is in incarceration since 26.04.2026. Considering the facts and circumstances of the case and the period of incarceration, this Court is inclined to grant bail to the petitioner, however, subject to certain conditions. Accordingly, bail is granted to the petitioner subject to the following conditions:

(i) The petitioner shall execute a bond for Rs.10,000/- (Rupees Ten Thousand only) along with two sureties each for a like sum of Rs.10,000/- (Rupees Ten Thousand Only) to the satisfaction of the learned Sessions Judge, Fast Track Mahila Corut, Thiruvarur.

(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 Sessions Judge, Fast Track Mahila Corut, Thiruvarur shall obtain a copy of any one of their identity proofs to ensure their identity.



(iii) The petitioner shall appear and sign before the respondent Police daily at 10.30 a.m, until further orders.

(iv) The petitioner shall not enter into the *defacto* complainant's house or her work place.

(v) The petitioner shall furnish his residence address and mobile number to the Sessions Judge, Fast Track Mahila Court, Thiruvavarur.

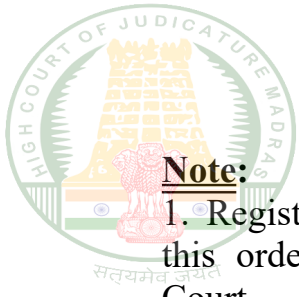
(vii) The petitioner shall not, directly or indirectly, cause any threat to the victim, *defacto* complainant and witnesses and shall not tamper the evidence.

(viii) On breach of any of the aforementioned conditions, the learned Sessions Judge, Fast Track Mahila Court, Thiruvavarur 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*.

21-05-2026

vum / cgi



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, Fast Track Mahila Court,
Thiruvavur
2. The Inspector of Police,
Kodavasal Police Station,
Thiruvavur District.
3. The Public Prosecutor,
Madras High Court, Chennai.



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R.SAKTHIVEL J.

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