



WEB COPY

CRL OP No. 14119 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. 14119 of 2026

Abthulla

..Petitioner(s)

Vs

The State Rep by
The Inspector of Police
All Women Police Station,
Denkanikottai,
Krishnagiri District,
Crime No.16/2026.

..Respondent(s)

Prayer:- Criminal Original Petition is filed under Section 483 of BNSS, 2023, pleaded to enlarge the Petitioner on bail in Connection with the Crime No.16/2026 on the file of the Respondent Police.

For Petitioner(s):	Mr.G.Paramasivam
For Respondent(s):	Mr.S.Yogaraja Sekar Government Advocate (Criminal side)

ORDER

The petitioner, who was arrested and remanded to judicial custody on 29.04.2026 for the alleged offences under Sections 5 (l) and 6 (1) of the POCSO Act, and Section 87 of BNS, in Crime No.16 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 kidnapped the victim and sexually assaulted her. Hence the case.



3. The learned counsel for the petitioner submitted that the petitioner is innocent and has been in custody since 29.04.2026. He further submitted that the petitioner and the victim were in relationship, 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. A perusal of the statement reveals that there was an adolescent relationship between the petitioner and the victim and there is no allegation of forcible sexual assault against the petitioner.

5. Considering the totality of the circumstances, the consensual nature of the adolescent relationship between the petitioner and the victim, and the long incarceration of the petitioner since 29.04.2026, this Court is inclined to grant bail to the petitioner with certain conditions.

6. 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 **Court of Sessions Judge, Fast Track Mahila Court, Krishnagiri**, and subject to the following conditions:



WEB COPY



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

[b] the petitioner shall stay at Salem and report before the Ammapet Police Station, Salem, daily morning at 10.30 a.m. and evening at 5.30 pm. until further orders;

[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.



WEB COPY

CRL OP No. 14119 of 2



C.KUMARAPPAN, J.

EP

To

1.The Court of Sessions Judge, Fast Track Mahila
Court, Krishnagiri.

2.The Superintendent of Prison,
Central Jail, Salem.

3.The Inspector of Police
All Women Police Station,
Denkanikottai,
Krishnagiri District,

4.The Public Prosecutor
High Court of Madras.

CRL OP No. 14119 of 2026

04-06-2026