



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 05-06-2026

CORAM

THE HON'BLE MR.JUSTICE C.KUMARAPPAN

CRL OP No. 14228 of 2026

Baskar S/o.Rathinam,
Gandhi Street,
Oragadam, Ambattur,
Tiruvallur District.

..Petitioner(s)

Vs

The State represented by

The Inspector of Police,
All Women Police Station,
Gummudipoondi, Thiruvallur District.
[Crime.No.08 of 2026]

..Respondent(s)

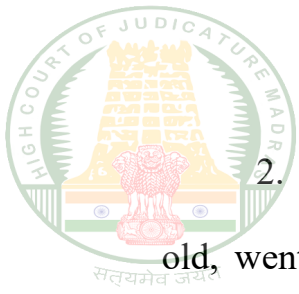
PRAYER: This Criminal Original Petition has been filed under Section 483 of B.N.S.S. praying to enlarge this Petitioner on bail concerned in Crime No.08 of 2026 pending on the file of the Respondent.

For Petitioner(s): M/s.R.Parthiban

For Respondent(s): Mr.S.Yogaraja Sekar,
Government Advocate (Criminal side)

ORDER

The petitioner, who was arrested and remanded to judicial custody on 09.05.2026 for the alleged offences under Sections 75(2), 137(2) of B.N.S. read with Sections 11(1), 11(4) and 12 of POCSO Act in Crime No.8 of 2026 on the file of the respondent police, seeks bail.



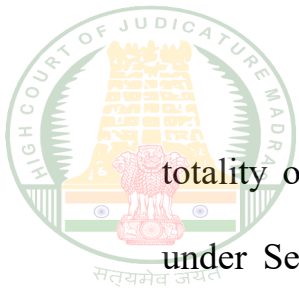
2. The ***case of the prosecution*** is that the victim girl, aged about 8 years old, went to her grandmother's house for vacation, where the petitioner is a neighbour, that when the victim was washing the vessels, the petitioner pulled her hand and took her to his house and abused the victim girl and committed aggravated sexual assault on the victim in a drunken mode and when the victim girl raised voice, she was rescued by other neighbours. Hence the case.

3. The learned counsel appearing for the petitioner would submit that the petitioner and the defacto complainant are neighbours and due to the property dispute, the present complaint came to be filed and hence prays for grant of bail to the petitioner.

4. At this juncture, the learned Government Advocate (Criminal side) appearing for the respondent police submitted the statement of the victim girl recorded under Section 183 of B.N.S.S.

5. I have given anxious consideration to the submissions made by the learned counsel on either side.

6. While perusing the statement under Section 183 of B.N.S.S., there is an allegation to the effect that the petitioner took the victim to a secured place and beyond that, there is no reference. Hence, taking into consideration of the



totality of circumstances, upon the allegation made in the statement recorded under Section 183 of B.N.S.S. and considering the long incarceration of the petitioner since 09.05.2026, this Court is inclined to enlarge the petitioner on bail, subject to the following stringent conditions:

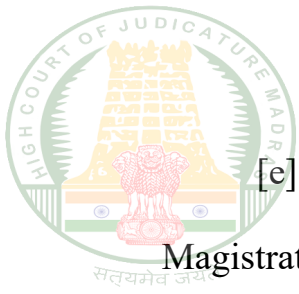
7. Accordingly, the petitioner is ordered to be released on bail on his executing a bond for a sum of Rs.25,000/- (Rupees Twenty-five Thousand only) with two sureties each, for a like sum to the satisfaction of the **Sessions Judge, Special Court for exclusive trial of Cases under POCSO Act, Thiruvallur.** and on further conditions that:

[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 sign before the Salem Town Police Station daily at 10.30 a.m. and 5.30 p.m. for a period of 30 days and thereafter as and when requited by the investigation officer 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 pass appropriate orders against the petitioner in accordance with law as if the aforementioned 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)13 SCC 283]:

[f] If the accused thereafter absconds, a fresh FIR can be registered under Section 269 of B.N.S.

05-06-2026

MJS

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, Special Court for exclusive trial of Cases under POCSO Act, Thiruvallur.
2. The Inspector of Police, All Women Police Station, Gummudipoondi, Thiruvallur District.
3. The Superintendent of Police, Central Prison, Puzhal, Chennai.
4. The Public Prosecutor, High Court of Madras.



WEB COPY

CRL OP No. 14228 of 2



C.KUMARAPPAN, J.

MJS

CRL OP No. 14228 of 2026

05-06-2026