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CRL OP No. 14399 of 2



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 08-06-2026

CORAM

THE HON'BLE MR.JUSTICE C.KUMARAPPAN

CRL OP No. 14399 of 2026

1. Kajendran
2. Arunkumar

..Petitioners

Vs

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

..Respondent

Prayer: Criminal Original Petition filed under section 483 of BNSS to enlarge the petitioner on bail in Cr.No.145 of 2026 pending on the file of the Respondent.

For Petitioner:

Mr.A.Esakkipandy

For Respondent:

Mr.S.Yogaraja Sekar,
Counsel for Government of Tamil Nadu
(Criminal Side)

ORDER

The petitioners, who were arrested and remanded to judicial custody on 26.04.2026 for the alleged offence under Sections 296(B), 351(2) of BNS r/w Section 11(4) and 12 of POCSO Act in Crime No.145 of 2026 on the file of the



respondent police, seek bail.

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2. The case of the prosecution is that the petitioners along with other accused attempted to make a bad touch upon the de facto complainant. Hence, the case.

3. The learned counsel for the petitioners fairly conceded that in an inebriated condition, the petitioners sung a song and this was misunderstood by the de facto complainant and the present complaint came to be registered. He further submitted that co-accused has been released on bail on 21.05.2026. He further submitted that the petitioners are ready to abide by any stringent conditions that may be imposed by this Court. Hence, he prays for grant of bail to the Petitioners.

4. Per contra, the learned Government Advocate (Criminal Side) appearing for the Respondent Police reiterated the prosecution case and submitted that there are totally three accused and he fairly conceded that the co-accused has already been released on bail in Crl.OP.No.13387 of 2026 on 21.05.2026.

5. I have given my anxious consideration to either side submissions and perused the materials available on record.



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6. Considering the facts and circumstances of the case; taking note of the submission made by the learned Government Advocate (Crl.Side), it is seen that the petitioners were remanded in judicial custody on 26.04.2026 and the co-accused has already been released on bail on 21.05.2026. Hence, as rightly contended by the learned counsel for the petitioner that the petitioner is entitled to have parity with that of the co-accused. Hence, this Court is inclined to grant bail to the petitioner, subject to certain conditions.

7. Accordingly, the petitioners are ordered to be released on bail on their executing a separate 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 Session Judge, Fast Track Mahila Court, Thiruvarur**, 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 petitioners shall report before the respondent police daily at 10.30 until further orders;

[c] the petitioners shall not abscond either during



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investigation or trial;

[d] the petitioners 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 petitioners in accordance with law as if the aforementioned conditions have been imposed and the petitioners 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.

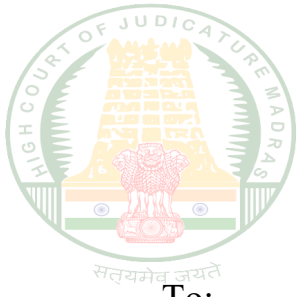
08-06-2026

SHL

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:
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1.The Sessions Judge,
Fast Track Mahila Court,
Thiruvavarur

2.The Inspector of Police,
Kodavasal Police Station,
Thiruvavarur District.

3.The District Prison,
Thiruvavarur

4.The Public Prosecutor,
High Court of Madras.



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C.KUMARAPPAN J.

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