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Crl.O.P.No.15485 of 2026



**IN THE HIGH COURT OF JUDICATURE AT MADRAS**

**DATED : 19.06.2026**

**CORAM**

**THE HONOURABLE Mr. JUSTICE C.KUMARAPPAN**

**Crl.O.P.No.15485 of 2026**

Sadasivam

... Petitioner(s)

Vs.

The State rep. by the Inspector of Police,  
All Women Police Station, Thiruthuraipoondi,  
Tiruvarur District.  
Crime No.9 of 2026

... Respondent(s)

**PRAYER :** Criminal Original Petition filed under Section 483 of BNSS, 2023, to enlarge the petitioner on bail concerned in Crime No.9 of 2026 pending on the file of the respondent police.

For Petitioner(s) : Mr.Swami Subramanian

For Respondent(s) : Mr.S.Yogaraja Sekar,  
Government Advocate (Crl.Side)

**ORDER**

The petitioner, who was arrested and remanded to judicial custody on 19.04.2026 for the alleged offences under Sections 5(l), 5(j)(ii) r/w Section 6 and 19 r/w 21(1) of the POCSO Act and Sections 89 and 92 of the Bharatiya Nyaya Sanhita, 2023, in Crime No.9 of 2026 on the file of the respondent police, seeks bail.



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2. It is the case of the prosecution that the first accused was in a relationship with the victim girl, aged about 17 years, and that they had physical intimacy, resulting in the victim becoming pregnant. The allegation against the petitioner, who is aged about 66 years, is that he had arranged a person for carrying out the abortion. Hence, the case.

3. The learned counsel for the petitioner would submit that the petitioner is innocent and has been falsely implicated in this case. He would further submit that the petitioner has been in custody since 19.04.2026 and is ready to abide by any stringent conditions that may be imposed by this Court. Hence, he prayed for the grant of bail.

4. The learned Government Advocate (Crl. Side) appearing for the respondent police, while opposing the grant of bail to the petitioner, reiterated the prosecution case and, on instructions, furnished the statement of the victim girl recorded under Section 183 of BNSS. He further submitted that the DNA report is yet to be received.

5. On a perusal of the statement of the victim girl recorded under Section 183 of BNSS, it is seen that the specific overt act attributed to the petitioner is



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only that he had arranged a person for carrying out the abortion. Except for the said allegation, there are no other serious allegations levelled against the petitioner. Further, the petitioner is aged about 66 years and has been in judicial custody since 19.04.2026. In such circumstances, considering the period of incarceration undergone by the petitioner, the limited role attributed to him in the occurrence, the absence of any other specific overt act against him under POCSO Act, and the age of the petitioner, this Court is inclined to enlarge the petitioner on bail, subject to certain conditions.

6. Accordingly, the petitioner is ordered to be released on bail on their 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 Sessions Judge, Fast Track Mahila Court, Tiruvarur, 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 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 police everyday at 10.30 a.m. for a period of two weeks and thereafter as and when required for interrogation;

[c] the petitioner shall not abscond either during



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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 petitioners 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.

19.06.2026

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**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 learned Sessions Judge, Fast Track Mahila Court, Tiruvarur,

2. The Superintendent, District Prison, Nagapattinam

3. The Inspector of Police, All Women Police Station,  
Thiruthuraipoondi, Tiruvarur District.

4. The Public Prosecutor, High Court of Madras



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**C.KUMARAPPAN,J.**

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