



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 01.07.2026

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THE HONOURABLE Mr. JUSTICE C.KUMARAPPAN

CrI.O.P.No.15821 of 2026

S.Nandhakumar

... Petitioner(s)

Vs.

The State rep. by the Inspector of Police,
W-20 All Women Police Station,
Saidapet, Chennai.
Crime No.12 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.12 of 2026 pending on the file of the respondent police.

For Petitioner(s) : Mr.C.D.Sugumar

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

ORDER

The petitioner, who was arrested and remanded to judicial custody on 26.05.2026 for the alleged offences under Sections 11(4), 12, 13 & 14(1) of the POCSO Act and Section 67(B)(b) of the Information Technology Act, 2000 and Section 351(3) of the Bharatiya Nyaya Sanhita, 2023, in Crime No.12 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 petitioner subjected the victim child to sexual harassment, as defined under Section 11 of the Protection of Children from Sexual Offences Act, 2012. 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 26.05.2026 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 petitioner has no bad antecedents and that a major portion of the investigation has already been completed.

5. Though the allegation levelled against the petitioner is serious in nature, considering the period of incarceration, the fact that the petitioner has no bad antecedents and also the fact that a major portion of investigation has



already been completed, this Court is inclined to enlarge the petitioner on bail, subject to certain conditions.

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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, Special Court for Exclusive Trial of Cases under POCSO Act, Chennai, 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 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,



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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.

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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, Special Court for
Exclusive Trial of Cases under POCSO Act, Chennai,
2. The Superintendent, Central Prison, Puzhal, Chennai.
3. The Inspector of Police, W-20 All Women Police Station, Saidapet, Chennai.
4. The Public Prosecutor, High Court of Madras

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C.KUMARAPPAN,J.

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