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CRL OP No. 16493 of 2



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 30-06-2026

CORAM

THE HON'BLE MR.JUSTICE C.KUMARAPPAN

CRL OP No. 16493 of 2026

Raja

..Petitioner

Vs

The State Rep by
The Inspector of Police
Virudhampet Police Station,
Virudhampet,
Vellore District.
Crime No.47 of 2026

..Respondent

PRAYER : Criminal Original Petition filed under Section 483 of Bharatiya Nagarik Suraksha Sanhita, 2023, to enlarge the petitioner on bail pending investigation in Crime No.47 of 2026 on the file of the Inspector of Police Virudhampet Police Station, Virudhampet, Vellore District.

For Petitioner:

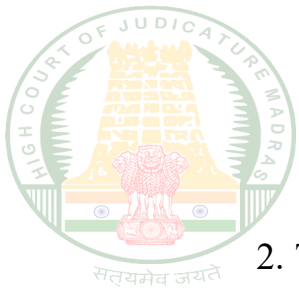
Mr.G.Vinodhkumar

For Respondent:

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

ORDER

The petitioner, who was arrested and remanded to judicial custody on 21.05.2026 for the alleged offences under Sections 5(n), 5 (1) r/w 6 of POCSO Act-2012 and Section 75 of JJ Act, and Section 64(2)(f), 65(1) of BNS Act-2023 in Crime No. 47 of 2026 on the file of the respondent police, seeks bail.

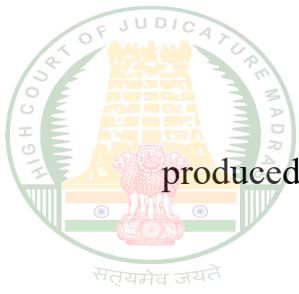


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2. The case of the prosecution is that the de facto complainant who is the mother of the victim, lodged a complaint before the respondent police against A-1 that the victim girl has been missing from the house. The victim girl got acquaintance with one Sivanandham/A-1, through social media. The petitioner is the biological father of the victim girl and when he get the knowledge of the same, he questioning the same to the victim girl and asked her not to make such a contacts. Thereafter, on 31-03-2026, the victim girl went to A-1's house. On gaining knowledge of the same, the petitioner and the de facto complainant went to A-1's house along with police officials and secure the victim as well as A-1. At the time of enquiry by the respondent police, the victim girl gives the statement before the respondent police against the petitioner that he sexually assaulted her, due to which she left the house. Hence, the case.

3. The learned counsel appearing for the petitioner submitted that the petitioner has been falsely implicated in the present case and that he has not committed any offence as alleged by the prosecution. He further submitted that the petitioner is ready to abide by any stringent conditions that may be imposed by this Court. Hence, he prays for grant of bail to the Petitioner.

4. Per contra, the learned Government Advocate (Criminal Side) appearing for the Respondent Police reiterated the prosecution case and



produced the 183 BNS Statement of the victim before this Court.

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

6. Considering the facts and circumstances of the case; taking note of the submission made by the learned Government Advocate (Crl.Side), though there is allegation against the petitioner under section 5(n), 5 (1) r/w 6 of POCSO Act, on perusal of the 183 BNS statement, there are no allegation against this petitioner. Hence, considering the fact that there are no allegation against the petitioner, and not supported the prosecution case, this Court is inclined to enlarge the petitioner on bail, subject to certain 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 **learned Special Judge for Exclusive Trial of Cases under POCSO Act, 2012 Vellore, Vellore District**, 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;



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[b] the petitioner shall report before the respondent police daily at 10.30 a.m., for the 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 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.

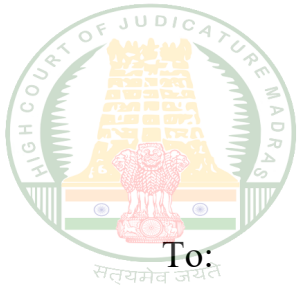
30-06-2026

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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:

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1. The Special Judge for Exclusive Trial of
Cases under POCSO Act, 2012 Vellore,
Vellore District
2. The Superintendent
Central Prison, Vellore
3. The Inspector of Police
Virudhampet Police Station,
Virudhampet,
Vellore District.
4. The Public Prosecutor
High Court of Madras



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C.KUMARAPPAN J.

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