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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 10-11-2026

CORAM

THE HON'BLE MR.JUSTICE N.RAMESH

CRL OP No. 32513 of 2026

CNR: {HCMA012415492026}

Paul Alexive
S/o Jayaraj,
No.24, Merukumathu Villai,
Arumuganeri Village,
Thoothukudi District.

Case QR

..Petitioner(s)

Vs

State of Tamil Nadu, rep. By
The Inspector of Police
Vepery AWPS,
Chennai.
Crime No.02/2026

..Respondent(s)

PRAYER : Criminal Original Petition filed under Section 483 of Bharatiya Nagarik Suraksha Sanhita, 2023, to enlarge the Petitioner on bail in Spl.S.C.No.113 of 2026 on the file of the Honble Sessions Judge, Special Court for Exclusive Trial of Cases under POCSO Act, Chennai in Crime No.02 of 2026 on the file of Respondent and thus render justice.

For Petitioner(s): Mr.R.Loganathan

For Respondent(s): Mr.M.M.I. Khaleel
Government Advocate (Crl.Side)

ORDER

The petitioner, who was arrested and remanded to judicial custody on 24.02.2026 for the alleged offence under Section 87 of BNS, 2023 r/w Section 6 of POCSO Act @ Section 137 of BNS, 2023 r/w Section 4 of POCSO Act,

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2012 in Crime No.02 of 2026 on the file of the respondent police, seeks bail.

2. The case of the prosecution is that the petitioner was working as a security guard and that he had called a minor boy into a room and subjected him to sexual acts. Hence, the case.

3. The learned counsel for the petitioner submitted that this is the second bail application filed by the petitioner. He further submitted that the allegations against the petitioner are false and that the petitioner has been in judicial custody since 24.02.2026. He further submitted that the charge sheet has been filed and the same was taken on file in Spl.S.C. No.113 of 2026. Hence, he prays to grant bail to the petitioner.

4. The learned Government Advocate (Crl.Side) appearing for the respondent police reiterated the prosecution case and submitted that the victim is aged 15 years boy and the petitioner is aged 48 years. He further submitted that the investigation has been completed and the charge sheet has been filed and now the case is posted for fixing of trial on 13.11.2026. He further submitted that he has one previous case, under POCSO Act is pending against him. Hence, he opposed the grant of bail to the Petitioner.

5. I have given my anxious consideration to the submissions made by the

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learned counsel on either side and perused the materials available on record.

6. It is a case under POCSO Act. The victim is aged 15 years boy, whereas the petitioner is aged 48 years. The investigation has been completed and the charge sheet has been filed and was taken on file in Spl.S.C. No.113 of 2026 pending on the file of Special Court under POCSO Act, Chennai. The petitioner has been in judicial custody since 24.02.2026 and now the case is posted on 13.11.2026 for fixing of trial. The learned counsel for the respondent submitted that the petitioner has one previous case under POCSO Act. This Court has perused the statement of the victim boy. Considering the above facts and circumstances of the case and the period of incarceration already undergone by the petitioner, 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 Sessions Judge, Special Court for Exclusive Trial of Cases under POCSO Act, Chennai,** 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

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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 Trial Court daily at 10.30 a.m., until further orders;

[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.

10-11-2026

DRL

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.

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To

1. The Sessions Judge, Special Court for Exclusive Trial of Cases under POCSO Act, Chennai.

2. The Inspector of Police
Vepery AWPS,
Chennai.

3.The Superintendent,
Central Prison – II, Puzhal,
Chennai.

4.The Public Prosecutor,
High Court, Madras.

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N.RAMESH, J.

DRL

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