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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 23-11-2026

CORAM

THE HON'BLE MR.JUSTICE N.RAMESH

CRL OP No. 30219 of 2026

CNR: {HCMA012474372026}

Case QR

Sathyaseelan
S/o. Siva,
Ulavarpatti,
Kuppuchipalayam,
Paramathi Velur,
Namakkal District.

..Petitioner(s)

Vs

State Rep.by, The Inspector of Police
Paramathi Police Station,
Namakkal District.
Cr.No.122 of 2026.

..Respondent(s)

PRAYER : Criminal Original Petition filed under Section 483 of Bharatiya Nagarik Suraksha Sanhita, 2023, to the petitioner on bail in connection with Cr.No.122 of 2026 pending investigation on the file of the Respondent Police.

For Petitioner(s): Mr.A.Sathishkumar

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

ORDER

The petitioner, who was arrested and remanded to judicial custody on 01.08.2026 for the alleged offence under Section 87 of BNS, and Sections 5(I), 5(j)(ii) r/w Section 6 of POCSO Act, 2012 in Crime No.122 of 2026 on the file of the respondent police, seeks bail.

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2. The allegation against the petitioner is that the petitioner had sexually assaulted the victim girl, aged 17 years, as a result of which she became pregnant. Hence, the case.

3. The learned counsel for the petitioner submitted that the petitioner is innocent and has been falsely implicated in the present case and that he has not committed any offence as alleged by the prosecution. 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 submitted that the victim is aged 17 years, whereas the petitioner is aged 22 years. He also produced the statement of the victim recorded under Section 183(5) of BNSS. Hence, he opposed the grant of bail to the petitioner.

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

6. It is a case of POCSO arising out of a love affair. The victim was aged 17 years at the time of occurrence. She had completed her XII standard and was staying at her grandmother's house during the holidays. She came into contact with the petitioner through instagram. According to the prosecution, in

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March 2026 both had sexual intercourse and in July 2026, the victim was found to be pregnant. Based on the complaint, the petitioner was arrested on 01.08.2026 and he has been in judicial custody since then.

The learned counsel for the petitioner submitted that it is a case of love affair and that he is ready and willing to marry the victim. He further submitted that the victim has attained majority as on date and that parents of both parties are ready and willing to perform the marriage and they have filed an affidavit to that effect. The investigation has been completed and the charge sheet has been filed. Considering the above circumstances of the case, the completion of investigation and filing of the charge sheet, 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, Magalir Neethimandram (FTMC), Namakkal,** 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 Trial Court daily at 10.30 a.m., for a period of 30 days and thereafter on all hearing dates without fail;

[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.

23-11-2026

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, Magalir Neethimandram (FTMC), Namakkal.

2. The Inspector of Police
Paramathi Police Station,
Namakkal District.

3.The Superintendent,
Sub Jail, Namakkal.

4.The Public Prosecutor,
High Court, Madras.

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N.RAMESH, J.

DRL

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