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Order QR

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 10-11-2026

CORAM

THE HON'BLE MR.JUSTICE N.RAMESH

CRL OP No. 30653 of 2026

CNR: {HCMA012479882026}

Case QR

Pauldinakaran
S/o Balasundaram,
No 52/33, Madha Koil Street,
Periyanelambai Village,
Melmalayanur Taluk,
Villupuram District.

..Petitioner(s)

Vs

The State Represented By,
The Inspector of Police
All Women Police Station,
Polur, Tiruvannamalai District.
Crime NO. 28/2026

..Respondent(s)

PRAYER : Criminal Original Petition filed under Section 483 of Bharatiya Nagarik Suraksha Sanhita, 2023, to enlarge him on bail in Spl.S.C.No.164/2026 pending trial on the file of the Learned Sessions judge, Special Court for Exclusive Trial of Cases Under POCSO Act, Tiruvannamalai.

For Petitioner(s): Mr.A.Balamurugan

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

ORDER

The petitioner, who was arrested and remanded to judicial custody on 10.06.2026 for the alleged offences under Section 65(2) of BNS and Sections 5(m), 5(i) and 6 of the Protection of Children from Sexual Offences Act, 2012 in Crime No.28 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 committed the sexual assault on the victim child, aged 4 ½ years. 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. He further submitted that the allegations against the petitioner are false and that the petitioner has been in judicial custody since 10.06.2026. 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 petitioner committed sexual assault on the victim child, aged 4 ½ years. He also produced the statement of the victim child recorded under Section 183 of BNSS. Hence, he opposed the grant of bail to the Petitioner.

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

6. It is a case under the POCSO Act. The victim child is aged 4 ½ years, whereas the accused is aged 42 years. This Court has also perused the

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statement of the victim child recorded under Section 183 of the BNSS. The investigation has been completed and the charge sheet has also been filed. The victim child was examined on 04.11.2026. The petitioner has been in judicial custody since 10.06.2026. Considering the above facts and circumstances of the case and the nature of the allegations 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, Tiruvannamalai 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;

[b] the petitioner shall report before the Trial Court daily at 10.30 a.m., for a period of 15 days and thereafter during all the hearing dates;

[c] the petitioner shall not abscond either during investigation or trial;

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[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, Tiruvannamalai District.

2. The Inspector of Police
All Women Police Station,
Polur, Tiruvannamalai District.

3.The Superintendent, Central Prison,
Vellore.

4.The Public Prosecutor,
High Court, Madras.

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N.RAMESH, J.

DRL

CRL OP No. 30653 of 2026

10-11-2026

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