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Order QR

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 23-11-2026

CORAM

THE HON'BLE MR.JUSTICE N.RAMESH

CRL OP No. 31718 of 2026

CNR: {HCMA012520002026}

Akash @ Ajay @ Ajai
S/o.Durairaj,
No.5/3, AmbalakaraTheru,
Kothampatti, Kantharvakottai TK,
Ariyanipatti, Pudukottai District.

Case QR

..Petitioner(s)

Vs

The State Rep by The Inspector of Police
All Women Police Station,
Mannargudi,
Tiruvarur District.
Crime No.10 of 2025.

..Respondent(s)

PRAYER : Criminal Original Petition filed under Section 483 of Bharatiya Nagarik Suraksha Sanhita, 2023, to enlarge the petitioner on bail in crime No.10 of 2026 on the file of the All Women Police Station , Manargudi thiruvarur district and pass such further or other orders as this Hon'ble court.

For Petitioner(s): Mr.R.Murugabharathi

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

ORDER

The petitioner, who was arrested and remanded to judicial custody on 24.03.2026 for the alleged offence under Sections 5(1), 5(j)(2), 5(n) and 6 of POCSO Act, 2012 in Crime No.10 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 took the victim girls to the scheduled place and subjected her to sexual intercourse and threatened not to disclose the incident to anyone. 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 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 sexual assault of two minor girls. The accused is arrayed as A3. According to the prosecution, in September 2025, the petitioner and one Subitharan @ Sibiraj took the victim, aged 15 years to the scheduled place and committed aggravated penetrative sexual assault. Similarly her friend, aged 14 years was sexually assaulted in March 2026. The victim girls were found to be

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five months pregnant. The petitioner was arrested on 24.03.2026 and has been in judicial custody since then. The co-accused was released on bail by this Court in Crl.OP.No.25307 of 2026 dated 08.09.2026. The investigation completed and the charge sheet has been filed and not taken on file. Considering the above facts and circumstances of the case, the fact that the co-accused has already been released on bail, 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, Fast Track Mahila Court, Thiruvarur, Thiruvarur 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 respondent police daily at 10.30 a.m., for a period of 30 days;

[c] the petitioner shall not abscond either during

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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, Fast Track Mahila Court, Thiruvarur, Thiruvarur District.

2. The Inspector of Police
All Women Police Station,
Mannargudi,
Tiruvarur District.

3.The Superintendent, Central Prison,
Trichy.

4.The Public Prosecutor,
High Court, Madras.

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N.RAMESH, J.

DRL

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