WEB COPY

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 23-10-2026

CORAM

THE HON'BLE MR.JUSTICE N.RAMESH

CRL OP No. 30713 of 2026

CNR: {HCMA012560572026}

Gajendran,
S/o.Ranganathan,
Sakthi Nagar, Periyamalani,
Thiruchengodu Taluk,
Namakkal District,
Tamil Nadu.

..Petitioner(s)

Vs

State Represented by
The Inspector of Police,
AWPS, Tiruchengode Police Station,
Namakkal District.
(Crime No.33 of 2026)

..Respondent(s)

PRAYER: Criminal Original Petition filed under section 483 of BNSS Act, praying to enlarge the petitioner on bail in connection with the case in Crime No.33 of 2026 pending investigation on the file of the respondent police.

For Petitioner(s): Mr.S.Udayakumar

For Respondent(s): Mrs.R.S.Indira,
Additional Public Prosecutor

ORDER

The petitioner, who was arrested and remanded to judicial custody on 29.08.2026 for the alleged offences under Sections 9(m) and 10 of the POCSO Act, 2012, in Crime No.33 of 2026 on the file of the respondent police, seeks bail.

https://www.mhc.tn.gov.in/judis

WEB COPY

2.The case of the prosecution is that the petitioner committed aggravated sexual assault against a minor girl studying in the 7th standard. It is alleged that he invited the victim to his house, sent her friends away, and pressed her chest. Hence, the complaint.

3.The learned counsel for the petitioner submitted that the petitioner has been falsely implicated in this case and that he has not committed any offence as alleged by the prosecution. He further submitted that the petitioner has been in custody since 29.08.2026 and is ready to abide by any stringent conditions that may be imposed by this Court. Hence, he prayed to grant bail to the petitioner.

4.The learned Additional Public Prosecutor appearing for the respondent police produced the statement recorded under Section 183(5) of the BNSS, wherein there is an allegation that the petitioner had touched the victim in an inappropriate manner.

5.Heard the learned counsel for the petitioner and the learned Additional Public Prosecutor appearing for the respondent police, and perused the materials available on record.

https://www.mhc.tn.gov.in/judis

WEB COPY

6.Taking into consideration the totality of the circumstances, the fact that no serious allegations have been made against the petitioner in the statement of the victim recorded under Section 183(5) of the BNSS, and that the petitioner has been in incarceration since 29.08.2026, this Court is of the firm view that further incarceration of the petitioner is not required for the purpose of investigation. Hence, 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,** for a like sum to the satisfaction of the **learned Sessions Judge, Magalir Neethi Mandram (Fast Track Mahila Court), Namakkal,** and on further conditions that:

[a] the sureties shall affix his 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 his identity;

[b] The petitioner shall report before the respondent police daily at 10.30 a.m., until further orders;

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

https://www.mhc.tn.gov.in/judis

WEB COPY

[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.

23-10-2026

Index: Yes/No
Speaking/Non-speaking order
Neutral Citation: Yes/No
CDA

https://www.mhc.tn.gov.in/judis

WEB COPY

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

1.The Sessions Judge, Magalir Neethi Mandram
(Fast Track Mahila Court), Namakkal.

2.The Inspector of Police,
AWPS, Tiruchengode Police Station,
Namakkal District.

3.The Central Prison, Salem.

4.The Public Prosecutor,
High Court of Madras.

https://www.mhc.tn.gov.in/judis

WEB COPY

N.RAMESH, J.

CDA

CRL OP No. 30713 of 2026

23-10-2026

https://www.mhc.tn.gov.in/judis