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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 23-10-2026

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THE HON'BLE MR. JUSTICE N.RAMESH

Crl.O.P.No.30829 of 2026

CNR: {HCMA012564182026}

Murali ..Petitioner(s)

Vs

The State represented By,
The Inspector of Police,
Tiruvannamalai Rural AWPS,
Tiruvannamalai District,
Crime No. 25 of 2026 ..Respondent(s)

PRAYER: Criminal Original Petition is filed petition under Section 483 of Bharatiya Nagarik Suraksha Sanhita, 2023, to enlarge the petitioner on bail in connection with Crime No. 25 of 2026 on the file of the Respondent Police.

For Petitioner(s) : Mr. D.Balaji

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

ORDER

The petitioner, who was arrested and remanded to judicial custody on 30.05.2026 for the alleged offences punishable under Section87 of BNS and Sections 9(l), 9(m) r/w Section 10 Protection of Children from Sexual Offences (POCSO) Act, 2012 in Crime No.25 of 2026, on the file of the respondent police, seeks regular bail.

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2. The case of the prosecution is that the petitioner is aged about 37 years and the victim child is a girl aged about 4 years. It is alleged that the petitioner had committed repeated aggravated sexual assault on the victim child. Consequently, the present case was registered against the petitioner.

3. Learned counsel appearing for the petitioner submits that the petitioner is innocent and has been falsely implicated in the present case. He further undertakes that the petitioner will strictly abide by any stringent conditions imposed by this Court and will co-operate in the investigation. He further submits that the petitioner has been incarcerated in judicial custody since 30.05.2026. Hence, he prays that the petitioner may be granted bail.

4. On the other hand, the learned Additional Public Prosecutor appearing for the respondent strongly opposes the grant of bail to the petitioner and produced the statement of the victim girl recorded under Section 183 of BNSS. She further submits that the charge sheet in this case has been filed and the same has also been taken on the file of the Special Court for Exclusive Trial of Cases under POCSO Act, Tiruvannamalai District. She also submits that the victim child was not examined till date.

5. I have gone through the statement of the victim child. Considering the fact that the investigation in this case has been completed and charge sheet

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has also been filed and taking note of the period of incarceration undergone by the petitioner, this Court is inclined to grant regular bail to the petitioner, subject to strict conditions to ensure his presence during the trial.

6. 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 **Special Court for Exclusive Trial of Cases under POCSO Act, Tiruvannamalai District,** 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 appear before the trial Court daily at 10.30 a.m. until further orders;

[c] The petitioner shall not abscond during trial;

[d] The petitioner shall not tamper with the evidence or witness during 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

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Order QR

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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]; and

[f] If the accused thereafter absconds, a fresh FIR can be registered under Section 269 of B.N.S.

23-10-2026

Neutral Citation: Yes/No

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Note:

1. Registry is directed to forthwith upload this order on the Official Website of this Court.

2. All concerned to act on this order being uploaded on Official Website of this Court without insisting on certified hard copies. To be noted, this order, when uploaded on the official website of this Court, will be watermarked and will also have a QR code.

To

1. The Judge,
   Special Court for Exclusive Trial of Cases under POCSO Act,
   Tiruvannamalai District.

2. The Inspector of Police,
   Tiruvannamalai Rural AWPS,
   Tiruvannamalai District.

3. The Superintendent,
   Sub Jail, Cuddalore.

4. The Public Prosecutor,
   High Court of Madras.

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N.RAMESH, J.

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