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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.30901 of 2026

CNR: {HCMA012565662026}

Mohamed Shahif @ Mohamed Sahith ..Petitioner(s)

Vs

The State Rep By,
The Inspector of Police,
Kuthalam Police Station,
Mayiladuthurai.
Crime No.472 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 Crime No.472 of 2026 on the file of Inspector of Police, Kuthalam Police Station, Mayiladuthurai.

For Petitioner(s) : Mr. K.R.Ramesh Kumar
For Respondent(s) : Mrs.R.S.Indira
Additional Public Prosecutor

ORDER

The petitioner, who was arrested and remanded to judicial custody on 03.10.2026 for the alleged offences punishable under Sections 11(4) and 12 Protection of Children from Sexual Offences (POCSO) Act, 2012 r/w Section 108 BNS, in Crime No.472 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 19 years and the victim girl about 16 years. The petitioner had a love affair with the victim girl and on coming to know about the same, the *de facto* complainant, the mother of the victim warned the victim not to contact the petitioner. However, the petitioner threatened the victim girl to make her talk to him and gave her a mobile phone. On 01.10.2026, while the victim was speaking to the petitioner over phone, the elder sister of the victim asked her about the mobile phone. Consequently, the victim revealed everything to her sister and committed suicide by hanging. Therefore, based on the complaint given by the victim's mother, 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 03.10.2026. 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. She further submits that the present case is under investigation.

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5. I have gone through the statement of the victim girl. Considering the fact that the investigation in this case is still pending and taking note of the period of incarceration undergone by the petitioner since 03.10.2026, 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 **District and Sessions Judge, Mayiladuthurai,** 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;

[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 Judge/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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released on bail by the learned Judge/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 District and Sessions Judge,
   Mayiladuthurai.

2. The Inspector of Police,
   Kuthalam Police Station,
   Mayiladuthurai.

3. The Superintendent,
   Central Prison, Cuddalore.

4. The Public Prosecutor,
   High Court of Madras.

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N.RAMESH, J.

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