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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. 32652 of 2026

CNR: {HCMA012575582026}

Krishna
S/o Harikrishnan,
North Street Siruthondamadevi,
Panruti,
Cuddalore District.

Case QR

..Petitioner(s)

Vs

The State Rep by The Inspector of Police
Panruti Police Station,
Panruti,
Cuddalore District.
Crime no.350 of 2026.

..Respondent(s)

PRAYER : Criminal Original Petition filed under Section 483 of Bharatiya Nagarik Suraksha Sanhita, 2023, to enlarge the petitioner on bail in connection with Crime No.350 of 2026 on the file of the Inspector of Police, All women Police Station, Panruti, Cuddalore District.

For Petitioner(s): Mr.K.Vijayakumar

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

ORDER

This Criminal Original Petition has been filed seeking to enlarge the petitioner on bail, who is in judicial custody since 01.09.2026, in connection with the case pending in Crime No. 350 of 2026 initially registered for a "girl missing" offence under Section 87 of the Bharatiya Nyaya Sanhita (BNS), 2023

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and subsequently altered to offences under Sections 127(2) and 87 of the BNS, 2023, Sections 3 r/w 4, and 5(1) r/w 6 of the Protection of Children from Sexual Offences (POCSO) Act, 2012.

2. The case of the prosecution is that the complainant, who is the mother of the victim girl, took her daughter to a private hospital at Cuddalore, and they returned to Panruti at around 6.30 p.m. While the complainant was purchasing some items near the JKR Textiles shop, the victim girl, who was standing right behind her, went along with the petitioner, Krishna, for some distance. The complainant noticed that the petitioner was taking the victim girl toward the interior of the bus stand by holding her hands. She immediately followed them but could not locate them at the bus stand. Thereupon, she proceeded to the Panruti Police Station and lodged the complaint. Hence the case.

3. The learned counsel for the petitioner submits that this is the second bail application filed by the petitioner. He further submitted that the petitioner is a youth aged about 19 years and has been falsely implicated in the present case due to animosity. He further submits that the petitioner has been undergoing continuous incarceration since 01.09.2026 and that he is fully prepared to cooperate with the ongoing investigation. Hence, he prays for the grant of bail.

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4. The learned Government Advocate (Crl. Side) appearing for the respondent State vehemently opposes the grant of bail, submitting that the victim is a minor child and the offences alleged are grave and heinous in nature under the POCSO Act. He further submits that the petitioner is a habitual offender with an adverse track record, and the investigation has been completed and the charge sheet has been filed and yet to be taken on file.

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 is aged 15 years, whereas the petitioner is aged 19 years. Though the learned counsel for the petitioner, relying upon the statement of the victim child, submitted that they were in a love affair, considering the age of the victim, it is submitted that the relationship was consensual. The investigation has been completed and the charge sheet has been filed. Considering the age of the petitioner, the completion of investigation, the 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**

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only) with **two sureties each**, for a like sum to the satisfaction of the **learned Special Court for POCSO Cases, Cuddalore, Cuddalore 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 15 days and thereafter as and when required for interrogation;

[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 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];**

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

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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.

To

1.The Special Court for POCSO Cases,
Cuddalore, Cuddalore District.

2. The Inspector of Police
Panruti Police Station,
Panruti, Cuddalore District.

3.The Superintendent, Central Prison,
Cuddalore.

4.The Public Prosecutor,
High Court, Madras.

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N.RAMESH, J.

DRL

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