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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 29.10.2026

CORAM

THE HON'BLE MR.JUSTICE N.RAMESH

CRL.O.P.No.31366 of 2026

CNR: {HCMA012586752026}

Ganaprakasam

..Petitioner

Vs

The State Rep. by, The Inspector of Police,
All Women Police Station Ariyalur,
Ariyalur District.
Crime No.53 of 2026.

..Respondent

PRAYER: To enlarge the Petitioner on bail pending investigation in Cr.No.53 of 2026 on the file of the Respondent Police and thus render justice.

For Petitioner : Mr.G.Nirmal Krishnan

For Respondent : Mr.M.M.I.Khaleel,
Government Advocate (Crl.side).

ORDER

The petitioner, who was arrested and remanded to judicial custody on **06.09.2026** for the alleged offences punishable under **Sections 7 and 11(iv) r/w Sections 8 and 12 of the Protection of Children from Sexual Offences (POCSO) Act, 2012, and Sections 87 and 351(2) of the Bharatiya Nyaya Sanhita (BNS), 2023** (corresponding to Sections 366 and 506 of the IPC) in Crime No.53 of 2026 on the file of the respondent police, seeks bail.

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2. The case of the prosecution is that the petitioner, aged about 26 years, repeatedly followed the 15-year-old child victim whenever she went to school and forced her to love him. It is further alleged that on 29.08.2026, the petitioner took the victim to a nearby mango grove and committed sexual assault upon her. Hence the case.

3. The learned counsel appearing for the petitioner submits that the petitioner is innocent and has been falsely implicated in this case due to previous animosity. He further submits that the investigation in this matter is already completed, the charge sheet has been filed before the trial court, and therefore, further custodial interrogation is no longer required. Considering the continuous period of judicial custody undergone by the petitioner since 06.09.2026, he prays for the grant of bail.

4. The learned Government Advocate (Criminal Side) appearing for the respondent police strongly opposes the grant of bail, pointing out the grave nature of the allegations involving a 15-year-old child victim and the fact that the petitioner committed sexual assault in a public place. He, however, concedes that the investigation is completed and the charge sheet has already been filed.

5. Heard both sides and perused the materials available on record, including the FIR and the statement of the accused.

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6. Taking note of the facts and circumstances of the case and the nature of the allegations, it is seen that the case involves charges of sexual assault against a minor child. However, considering the fact that the investigation is already completed, the charge sheet has been successfully filed, and there is no further requirement for custodial interrogation, the apprehension of tampering with the investigation is mitigated. Taking into consideration the period of judicial custody already undergone by the 26-year-old petitioner since 06.09.2026, this Court is inclined to grant bail to the petitioner.

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 **Fast Track Mahila Court at Ariyalur,** 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 on all working days 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, and shall not

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maintain any contact with the witnesses to the occurrence, the officials dealing with the case, or any other person who might be connected to the occurrence;

[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.

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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 Fast Track Mahila Court at Ariyalur.

2. The Superintendent, Central Jail, Trichirapalli.

3. The Inspector of Police,
All Women Police Station Ariyalur,
Ariyalur District.

4. The Public Prosecutor,
High Court of Madras.

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