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Order QR

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 04-11-2026

CORAM

THE HON'BLE MR.JUSTICE N.RAMESH

CRL OP No. 32149 of 2026

CNR: {HCMA012587312026}

S.Chinnarasu

Case QR

..Petitioner(s)

Vs

The State rep by the Inspector of Police
AWPS Villupuram,
Villupuram District.
Crime No.73 of 2026.

..Respondent(s)

PRAYER : Criminal Original Petition filed under Section 483 of Bharatiya Nagarik Suraksha Sanhita, 2023, to enlarge the petitioner on bail Crime No.73/2026 on the respondent police and pass such or other orders may deem fit and proper pending and thus render justice

For Petitioner(s): P.Jayachandran
For Respondent(s): Mr.M.M.I.Khaleel, Govt.Advocate (Crl.Side)

ORDER

The petitioner, who was arrested and remanded to judicial custody on 28.09.2026 for the alleged offence under Sections 10, 11(2), 12, 7, 8, and 9(m) of POCSO Act, 2012, in Crime No.73 of 2026 on the file of the respondent police, seeks bail.

2. The case of the prosecution is that on 12.07.2026, at about 4.00 p.m., the petitioner allegedly committed an act of sexual harassment against the

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victim girl near his house. Hence, the present case was registered.

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

4. Per contra, the learned Government Advocate (Criminal Side) appearing for the respondent police strongly opposed the grant of bail. Upon instructions, he reiterated the prosecution case and submitted that the minor victim is aged about nine years, the petitioner is aged about 81 years and the investigation is still pending.

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. A perusal of the statement of the minor victim recorded under Section 183 of the Bharatiya Nagarik Suraksha Sanhita (BNSS) reveals that while this is a case registered under the POCSO Act, the allegation, according to the child, is confined to an instance of bad touch. Therefore, considering the nature of the allegations, the facts and circumstances of the case, and the period of

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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 only)** with **two sureties**, for a like sum to the satisfaction of the **learned Special Court for the Exclusive Trial of POCSO Act, Villupuram 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

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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.

04-11-2026

MPA

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 the Exclusive Trial of POCSO Act, Villupuram District.

2. The Inspector of Police
AWPS Villupuram,
Villupuram District.
Crime No.73 of 2026.

3.The Superintendent, Central Prison,
Cuddalore.

4.The Public Prosecutor,
High Court, Madras.

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N.RAMESH, J.

MPA

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