WEB COPY

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 10-11-2026

CORAM

THE HON'BLE MR.JUSTICE N.RAMESH

CRL OP No. 31972 of 2026

CNR: {HCMA012636592026}

Janakiraman
S/o Natarajan,
No.19/3, Jayalakshmi Ammal Street,
Sasthiri Nagar, Allapuram,
Vellore District.

Case QR

..Petitioner(s)

Vs

The State Rep. by, The Inspector of Police
All Women's Police Station,
Vellore.
Crime No.34 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 Cr.No.34 of 2026 before the Respondent Police and pass such other suitable orders as this Honble Court.

For Petitioner(s): Mr.C.Anbu

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

ORDER

The petitioner, who was arrested and remanded to judicial custody on 03.09.2026 for the alleged offence under Sections 9(m), 9(n) r/w 10 of POCSO Act, 2012 in Crime No.34 of 2026 on the file of the respondent police, seeks bail.

https://www.mhc.tn.gov.in/judis

WEB COPY

2. The allegation against the petitioner is that the petitioner has committed sexual assault on his own daughter, 16 years old victim girl. Hence, the case.

3. The learned counsel for the petitioner submitted that the petitioner is innocent and has been falsely implicated in the present case and that he has not committed any offence as alleged by the prosecution. He further submitted that, due to the ill advice of her friends, the victim has lodged a false complaint against the petitioner and that he is in judicial custody since 03.09.2026. Hence, he prays to grant bail to the petitioner.

4. The learned Government Advocate (Crl.Side) appearing for the respondent police reiterated the prosecution case and submitted that the victim is aged 16 years and the petitioner is aged 41 years. He also produced the statement of the victim child recorded under Section 183 of the BNSS. Hence, he opposed the grant of bail to the Petitioner.

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 POCSO Act. The victim is aged 16 years, whereas the petitioner, who is the father of the victim child, is aged 41 years. This Court

https://www.mhc.tn.gov.in/judis

WEB COPY

has also perused the statement of the victim, wherein she stated that she had lodged a false complaint against her father that he had committed sexual assault on her. Considering the submissions made by the learned counsel for the petitioner 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 only)** with **two sureties each**, for a like sum to the satisfaction of the **learned Sessions Judge, POCSO Court, Vellore,** 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 ten 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

https://www.mhc.tn.gov.in/judis

WEB COPY

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.

10-11-2026

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 Sessions Judge, POCSO Court, Vellore.

2. The Inspector of Police
All Women Police Station,
Vellore.

3.The Superintendent, Central Prison,
Vellore.

4.The Public Prosecutor,
High Court, Madras.

https://www.mhc.tn.gov.in/judis

WEB COPY

N.RAMESH, J.

DRL

CRL OP No. 31972 of 2026

10-11-2026

https://www.mhc.tn.gov.in/judis