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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 24-11-2026

CORAM

THE HON'BLE MR.JUSTICE N.RAMESH

CRL OP No. 33404 of 2026

CNR: {HCMA012729192026}

Sushanthkumar
S/o.Arputharaj,
No.001, Ambethkar Nagar,
Nallavinayagapuram,
Sirkali,
Mayiladuthurai-609 102.

Case QR

..Petitioner(s)

Vs

The State rep by the Inspector of Police
All Women Police Station Sirkali,
Mayiladuthurai District,
Crime No.44 of 2026.

..Respondent(s)

PRAYER : Criminal Original Petition filed under Section 483 of BNSS praying to enlarge the petitioner on bail in Cr.No.44/2026 on the file of the respondent police

For Petitioner(s): Mr. S.Esakkimuthu

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

ORDER

The petitioner, who was arrested and remanded to judicial custody on **24.08.2026** for the alleged offences punishable under **Sections 6 read with Section 5(i), 5(j)(ii) of POCSO Act** in Crime No. 44 of 2026 on the file of the respondent police, seeks regular bail.

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2. It is a case of penetrative sexual assault as against the victim girl aged about 17 years. The petitioner is aged about 20 years. According to the prosecution, petitioner and the victim girl were in love affair for two years, during which, petitioner had sexual intercourse with her several times on the false promise of marriage, due to which, she became pregnant and thereafter refused to marry her . Hence, the complaint.

3. The learned counsel for the petitioner submits that the petitioner is innocent and has been falsely implicated in this case. He further undertakes that the petitioner will strictly abide by any stringent conditions imposed by this Court and will co-operate with the investigation.

4. The learned Government Advocate (Criminal Side) appearing for the respondent state strongly opposes the grant of bail and also submitted that the investigation in this case has been completed and charge sheet has been filed.

5. Considering the facts and circumstances of the case, the quantity of the contraband involved in this case and the period of incarceration undergone by the petitioner from **24.08.2026**, this Court is inclined to grant regular bail to the petitioner, subject to strict conditions to ensure his presence during investigation and trial.

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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 **learned 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 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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To

1. District and Sessions Judge, Mayiladuthurai

2.Inspector of Police
All Women Police Station Sirkali,
Mayiladuthurai District,

3. The Superintendent,
Sub Jail, Mayiladuthurai.

4. The Public Prosecutor,
Madras High Court.

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N.RAMESH, J.

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