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Order QR

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 25-11-2026

CORAM

THE HON'BLE MR.JUSTICE N.RAMESH

CRL OP No. 33457 of 2026

CNR: {HCMA012729982026}

Case QR

K.Raji
S/o. Kamalakannan,
No.2513, Kannagi Nagar,
Okkiyam Thoraipakkam,
Chennai, Tamilnadu 600 097.

..Petitioner(s)

Vs

The State rep by the Inspector of Police
All Women Police Station,
Semmancheri,
Chennai City.
(Crime No.59 of 2026)

..Respondent(s)

PRAYER : Criminal Original Petition filed under Section 483 of Bharatiya Nagarik Suraksha Sanhita, 2023, to release the petitioner on bail in Crime No.59 of 2026 dated 05.10.2026 on the file of the Inspector of Police, All Women Police Station,, Semmancheri, on such terms and conditions as this Hon'ble Court.

For Petitioner(s): Mr.Abudu Kumar Rajarathinam
Senior Counsel for Mr.R.Siva Kumar
(Through Video Conference)

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

For Intervener : Mr.R.Sathishkumar

ORDER

The petitioner, who was arrested and remanded to judicial custody on

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13.10.2026 for the alleged offence under Sections 9(m), 9(o) read with Sections 10 and 18 of the Protection of Children from Sexual Offences Act, 2012 in Crime No. 59 of 2026 on the file of the respondent police, seeks bail.

2. The case of the prosecution is that the petitioner had sexually assaulted the victim girl, aged 17 years. Hence, the case.

3. The learned Senior Counsel for the petitioner submitted that the petitioner is in judicial custody since 13.10.2026 and 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. Hence, he prays for grant of bail to the Petitioner.

4. Per contra, the learned Government Advocate (Criminal Side) appearing for the Respondent Police reiterated the prosecution case and submitted that the victim is aged 17 years, whereas the petitioner is aged 29 years. He also produced the statement of the victim recorded under Section 183 of BNSS. Hence, he opposed the grant of bail to the petitioner.

5. I have given my anxious consideration to either side submissions and perused the materials available on record.

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6. It is a case registered under the POCSO Act for the alleged offence of sexual assault under Section 9(m), 9(o) read with Sections 10 and 18 of POCSO Act. This Court has perused the statement of the victim recorded under Section 183 of BNSS, wherein the victim child has stated that, while applying a balm to her forehead, he moved his hand down towards her chest. On the basis of the complaint, FIR has been registered and the petitioner was arrested on 13.10.2026. It is further seen from the records that, on the basis of similar complaints from some other victims, some more FIRs have been registered against the petitioner, and in respect of Crime No.37 of 2026, he was already released on bail on 12.10.2026 in Crl.OP.No.28847 of 2026.

The learned Senior Counsel for the petitioner submitted that, after his release, pursuant to the bail order dated 12.10.2026, the petitioner was arrested immediately on 13.10.2026, and that some other victims child have not come forward to make statements against the petitioner. The learned counsel for the intervener submitted his objection.

In any case, considering that the nature of the allegation is only sexual assault under Section 9 of the POCSO Act, and considering the period of incarceration from 13.10.2026, this Court is inclined to enlarge the petitioner on bail.

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 Act Cases, Chengalpattu,** 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.

25-11-2026

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 Special Court for POCSO Act Cases,
Chengalpattu.

2. The Inspector of Police
All Women Police Station,
Semmancheri, Chennai City.

3.The Superintendent,
Sub Jail, Chengalpattu.

4.The Public Prosecutor,
High Court, Madras.

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N.RAMESH, J.

DRL

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