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Order QR

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 18-11-2026

CORAM

THE HON'BLE MR.JUSTICE N.RAMESH

CRL OP No. 33751 of 2026

CNR: {HCMA012765292026}

Case QR

P.Annamalai
S/o. Periyannan,
New Colony,
Kallanatham Village,
Chinnasalem Taluk,
Kakkakurichi District.

..Petitioner(s)

Vs

The Inspector of Police
All Women Police Station,
Kallakurichi, Kallakurichi District.
Crime No 25 of 2026.

..Respondent(s)

PRAYER : Criminal Original Petition filed under Section 483 of Bharatiya Nagarik Suraksha Sanhita, 2023, to order enlarge the petitioner on bail in Crime No. 25 of 2026 on the file of the Respondent and thus render Justice.

For Petitioner(s): Mr.T.Balachandran

For Respondent(s): Mr.Durai Gunasekaran,
Government Advocate (Crl.Side)

ORDER

The petitioner, who was arrested and remanded to judicial custody on 21.06.2026 for the alleged offence under Sections 191(2), 332(b), 127(2), 75(2), 126(2) of BNS r/w Section of 11(iv), 12, 18 & 4(2), 21 of POCSO Act, in Crime No. 25 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 had sexually assaulted the victim girl, aged 13 years. Hence, the case.

3. The learned counsel for the petitioner submitted that the petitioner is in judicial custody since 21.06.2026 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. He further submitted that the co-accused has already been released on bail by the Trial Court. 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 13 years, whereas the petitioner is aged 53 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.

6. The victim was aged 13 years at the time of occurrence, whereas the petitioner was aged 53 years. It is alleged that on 26.06.2026, the petitioner entered into the victim's house, removed her dress, sat on her top, covered her

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mouth and sexually assaulted her. This Court has perused the statement of the victim. The investigation has been completed and the charge sheet has been filed. Considering the above facts and circumstances of the case, statement of the victim girl 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 Principal District and Sessions Judge, Kallakurichi Court, Kallakurichi 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 trial court 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,

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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.

18-11-2026

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 Principal District and Sessions Judge,
Kallakurichi Court, Kallakurichi District.

2. The Inspector of Police
All Women Police Station,
Kallakurichi, Kallakurichi District.

3.The Superintendent,
District Prison, Villupuram, Villupuram District.

4.The Public Prosecutor,
High Court, Madras.

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N.RAMESH, J.

DRL

CRL OP No. 33751 of 2026

18-11-2026

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