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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 23-11-2026

CORAM

THE HON'BLE MR.JUSTICE N.RAMESH

CRL OP No. 34244 of 2026

CNR: {HCMA012798382026}

D. Ramesh
S/o Duraiswamy,
No.23, Nedunjelian Street,
M.G.R.Nagar, Choolaipallam,
L.K.Nagar, Chennai.

Case QR

..Petitioner(s)

Vs

The State Represented by The Inspector of Police
W-26, Ashok Nagar All Women's Police Station,
Ashok Nagar, Chennai-83.
Crime No.23 of 2026.

..Respondent(s)

PRAYER : Criminal Original Petition filed under Section 483 of Bharatiya Nagarik Suraksha Sanhita, 2023, to enlarge the petitioner/Accused herein on bail in Crime No.23 of 2026 on the file of the Respondent/Complaint i.e on the file of the Inspector of Police, W-26 Ashok Nagar, All Women Police Station, Ashok Nagar Chennai.

For Petitioner(s): Mr.S.Mohan Raj

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

ORDER

The petitioner, who was arrested and remanded to judicial custody on 13.08.2026 for the alleged offence under Sections 9(n), r/w 10 of the POCSO Act, 2012 in Crime No.23 of 2026 on the file of the respondent police, seeks bail.

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2. The allegation against the petitioner is that the petitioner sexually assaulted the minor victim girl, by touching her inappropriately. 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. 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 16 years, whereas the petitioner is aged 47 years. He also produced the statement of the victim recorded under Section 183(2) 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. It is a case of aggravated penetrative sexual assault on a victim by a relative. According to the prosecution, the petitioner is a paternal uncle of 16 years old girl, touched her breast at night. The complaint was given by Headmaster of her school. The petitioner was arrested on 13.08.2026 and has

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been in judicial custody since then. The investigation has been filed and the charge sheet has been filed. Considering the above facts and circumstances of the case, statement of the victim child 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 Special Court for Exclusive Trail of Cases under POCSO Act, Chennai,** 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 30 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

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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.

23-11-2026

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 Exclusive Trail of Cases under POCSO Act, Chennai.

2. The Inspector of Police
W-26, Ashok Nagar All Womens Police Station,
Ashok Nagar, Chennai.

3.The Superintendent, Puzhal Prison Jail,
Chennai.

4.The Public Prosecutor,
High Court, Madras.

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N.RAMESH, J.

DRL

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