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CRL OP No. 298 of 2026



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 09-01-2026

CORAM

THE HONOURABLE MR.JUSTICE K.RAJASEKAR

CRL OP No. 298 of 2026

1. Balamurugan
S/o. Rasu, 5th Street, Gokul Garden,
Boomalur, Mangalam, Tiruppur
District.

Petitioner(s)

Vs

1. State of tamilnadu Rep by
Inspector of Police, KVR Nagar, All
Women Police Station, Tiruppur
District. Crime No. 59/2025

Respondent(s)

PRAYER

to enlarge the Petitioner on bail in SPL.SC.No. 280/2025 on the file of the Sessions Mahila Court (Fast Track) Tiruppur Crime No.59 of 2025 on the file of the Respondent police and thus render justice

For Petitioner(s): M/s.R. Venkatesan

For Respondent(s): Mr.A.Gopinath
Government Advocate(Crl. Side)

ORDER

The petitioner, who was arrested and remanded to judicial custody on 19.09.2025, for the alleged offence punishable under Section 7 r/w.8, 5(u) r/w. 6 of POCSO Act, in Crime No.59 of 2025, on the file of the respondent police, seeks bail.



2. The allegation against the petitioner is that while victim girl was suffering from illness, taking advantage of the said illness, this petitioner has committed aggravated penetrative sexual assault. Hence the petitioner was arrested.

3. Learned counsel appearing for the petitioner submitted that it is a case of false allegations and the petitioner is the neighbour of the victim girl and on the date of occurrence, he only helped the victim girl to taken her to hospital. However, there is no such occurrence of assault taken place and ready to abide by any conditions that may be imposed by this Court. Hence, he prayed for grant of bail to the petitioner.

4. Learned Government Advocate (Crl.Side) appearing for the respondent police reiterated the prosecution case and submitted that the petitioner was arrested on 19.09.2025 and the investigation was concluded and the final report is also filed and the same is taken on file by the Special Court in Spl.C.C.No.280 of 2025. Hence, he opposed for grant of bail to the petitioner.

5. Heard both sides and perused the materials available on record including the First Information Report.

6. I have gone through the statement recorded from the victim girl and the victim girl has stated that she got close friendship with the daughter of the petitioner and that the petitioner has committed aggravated penetrative sexual assault and immediately it was informed to the family members and the family



members rescued the victim girl. Further the victim girl has not stated anything about the occurrence and it is stated that she was under the intoxication due to the excess medication done voluntarily by her. The records further revealed that there is a possibility of false implication of the petitioner herein since it is also stated that immediately when the petitioner had taken the victim to the lonely place, and it was intimated to the family members including the neighbors.

7. Considering the above facts, this Court is inclined to grant bail to the petitioner, subject to certain conditions.

8. Accordingly, the petitioner is ordered to be released on bail on his executing a bond for a sum of **Rs.20,000/- (Rupees Twenty Thousand only)** with two sureties, each for a like sum to the satisfaction of the *learned Sessions Mahila Court (Fast Track), Tiruppur*, and on further conditions that:-

[a] the sureties shall affix their photographs and Left Thumb Impression in the surety bond and the Magistrate may obtain a copy of their Aadhar card or Bank pass Book to ensure their identity;

[b] the petitioner shall report before the Trial Court daily at 10.30 a.m., for a period of four weeks.

[c] the petitioner shall not abscond either during investigation or trial;



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[d] the petitioner shall not tamper with the evidence or witness either during investigation or trial;

[e] On breach of any of the aforesaid conditions, the learned Magistrate/Trial Court is entitled to take appropriate action against the petitioner in accordance with law as if the 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)AIR SCW 5560];

[f] If the accused thereafter absconds, a fresh FIR can be registered under Section 269 B.N.S.

09-01-2026

Mpa
Index:Yes/No
Speaking/Non-speaking order
Internet:Yes
Neutral Citation:Yes/No

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 Mahila Court (Fast Track), Tiruppur.

1. State of Tamil Nadu Rep by
Inspector of Police, KVR Nagar, All
Women Police Station, Tiruppur
District. Crime No. 59/2025

3. The Superintendent,
Central Prison, Coimbatore.

4. The Public Prosecutor,
High Court, Madras.



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K.RAJASEKAR J.
mpa

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