



CRL OP(MD). No.1104 of 2026

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 03/02/2026

PRESENT

The HONOURABLE MRS. JUSTICE S.SRIMATHY

CRL OP(MD) . No.1104 of 2026

Sheik Mohamed

... Petitioner/Accused

Vs

State of Tamilnadu Rep by,
The Inspector of Police,
All Women Police Station,
Thiruchendur,
Thoothukudi District.
Crime No. 1 of 2026..

... Respondent/Complainant

For Petitioner : Mr.A.Abdul Hameed
Senior Counsel for Mr.M.Velu,

For Respondent : Mr.S.S.Manoj,
Government Advocate (Crl.Side)

PRAYER :-

C-58AB. For Anticipatory Bail in Crime No. 1
of 2026 on the file of the respondent Police.

ORDER : The Court made the following order :-



CRL OP(MD). No.1104 of 2026

The petitioner, who apprehends arrest at the hands of the respondent police for the offences punishable under Sections 3(a), 4, 5(n) r/w 6 of the POCSO Act, in Crime No.1 of 2026 on the file of the respondent police, seeks anticipatory bail.

2. The case of the prosecution is that based on the complaint given by the defacto complainant, FIR has been registered against the petitioner for the above said offence. Hence, the case.

3. The learned counsel for the petitioner submitted that the petitioner is an innocent person and he has not committed any offences as alleged by the prosecution. He further submitted that the petitioner is ready and willing to abide by any conditions which may be imposed by this Court. Hence, he seeks anticipatory bail to the petitioner.

4. The learned Government Advocate(Crl. side) submitted that the petitioner has cooperated for the investigation and the victim is two years old child.



CRL OP(MD). No.1104 of 2026

Hence, she could not cogently answered for the questions. However, he opposed for grant of anticipatory bail to the petitioner.

5. This Court has granted interim order and directed the petitioner to appear before the respondent police. The petitioner has cooperated for investigation. The respondent filed a status report where it is stated that the victim is two years old child and the child could not cogently answered. Considering the same, benefit of doubt is given to the petitioner. Hence, this Court is inclined to grant anticipatory bail to the petitioner, subject to certain conditions.

6. Accordingly, the petitioner is ordered to be released on bail in the event of arrest or on his appearance, on condition that the petitioner shall execute a bond for a sum of Rs.10,000/- (Rupees Ten Thousand only) with two sureties each for a like sum to the satisfaction of the learned Special Court for Exclusive trial of POCSO Act Cases, Thoothukudi,

3/7



CRL OP(MD). No.1104 of 2026

within a period of fifteen days from the date on which the order copy is made ready and on further conditions that:

[a]the petitioner and the sureties shall affix their photographs and left thumb impression in the surety bond and the Magistrate may obtain a copy of their Aadhaar card or bank pass book to ensure their identity;

[b] the petitioner shall stay in Madurai and report before the Tallakulam Police Station, daily at 10.30 a.m, until further orders; No relaxation will be considered till the trial is completed; The petitioner shall attend the trial on all hearing dates for which alone he can enter the District of Thoothukudi; Otherwise the petitioner shall not enter into the house, street, school or any other place where the victim family would go often and shall not intimidate or



WEB COPY



CRL OP(MD). No.1104 of 2026

threaten the victim and her family; With these conditions anticipatory bail is granted;

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

[d]the petitioner shall not abscond 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 is 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 of BNS.

03.02.2026

PJL

5/7



CRL OP(MD). No.1104 of 2026

WEB COPY

TO

1.Special Judge for Exclusive trial of POCSO Act
Cases, Thoothukudi.

2. The Inspector of Police,
All Women Police Station,
Thiruchendur,
Thoothukudi District.

3. The Additional Public Prosecutor,
Madurai Bench of Madras High Court, Madurai.



WEB COPY



CRL OP(MD). No.1104 of 2026

S.SRIMATHY, J

PJL

ORDER
IN
CRL OP (MD) No.1104 of 2026

Date : 03/02/2026