



CRL OP(MD). No.2748 of 2026

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

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(Criminal Jurisdiction)

Date : 26/02/2026

PRESENT

The HONOURABLE MRS. JUSTICE S.SRIMATHY

CRL OP(MD) . No.2748 of 2026

Mookkan

... Petitioner/Accused

Vs

State of Tamilnadu Rep by,
The Inspector of Police,
AWPS-Usilampatti,
Madurai District.
Crime No.13/2025.

... Respondent/Complainant

For Petitioner : T.Sivananthan,
Advocate.

For Respondent : Mr.E.Antony Sahaya Prabahar,
Additional Public Prosecutor

PETITION FOR BAIL Under Sec.483 of BNSS

PRAYER :-

C-58B.For Bail in Crime No.13/2025 on the file
of the respondent police

ORDER : The Court made the following order :-



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The petitioner, who was arrested and remanded to judicial custody on 02.07.2025 for the offences punishable under Sections 5(k), 5(l), 5(j)(ii), 6 of POCSO Act, in Crime No.13 of 2025 on the file of the respondent police, seeks bail.

2. The case of the prosecution is that the victim girl is 17 years old. The age of the accused is 76 years. More than two accused persons, have committed penetrative sexual assault against the victim girl. Hence, the complaint.

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 in judicial custody from 02.07.2025. Hence, he seeks bail to the petitioner.

4. The learned Additional Public Prosecutor submitted that there are totally two accused. A1 already arrested and granted bail. However, he



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opposed for grant of bail to the petitioner.

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5. This is the 3rd bail application. The 164 statement is strongly against the petitioner. Taking into consideration of the facts and circumstances of the case and also considering the period of incarceration suffered by the petitioner, and also considering the age of the petitioner, this Court is inclined to grant bail to the petitioner, subject to the following conditions:

6. Accordingly, the petitioner is ordered to be released on bail on executing 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 Principal Special Court for Exclusive trial of cases under POCSO Act, Madurai, 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



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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 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 9 BNS.

26.02.2026

PJL

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TO

1. Principal Special Court for Exclusive trial of cases under POCSO Act, Madurai.
2. Do-Through The Chief Judicial Magistrate,
Madurai District.
3. The Superintendent, Central Prison, Madurai.
4. The Inspector of Police,
AWPS-Usilampatti,
Madurai District
5. The Additional Public Prosecutor,
Madurai Bench of Madras High Court, Madurai.



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S.SRIMATHY, J

PJL

ORDER
IN
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