



CRL OP(MD). No. 2925 of 2026

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 25.03.2026

PRESENT

THE HONOURABLE MR. JUSTICE P. DHANABAL

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Gopinath

...Petitioner/Accused

Vs

State of Tamil Nadu rep. by
The Inspector of Police,
All Women Police Station,
Thanjavur.
(Crime No. 2 of 2026)

...Respondent/Complainant

For Petitioner : Mr.Naveen Kumar Murthi
for Mr.V.Muthu Kamatchi
Advocate.

For Respondent : Mr.B.Nambi Selvan
Additional Public Prosecutor

PETITION FOR BAIL Under Sec.483 of BNSS

PRAYER :-

For Bail in Cr.No. 2 of 2026 on the file of the respondent police.



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ORDER : The Court made the following order :-

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The petitioner / Accused, who was arrested and remanded to judicial custody on 16.01.2026 for the offences punishable under Sections 9(e) r/w 10 of POCSO Act in Crime No. 2 of 2026 on the file of the respondent police, seeks bail.

2. The case of the prosecution is that on 15.01.2026, when the petitioner, who is practicing as Doctor, was on duty and when the defacto complainant, who was aged about 15 years, was attending her brother, who was admitted as an inpatient, the petitioner allegedly touched the defacto complainant with sexual intention. Hence the case.

3. The learned counsel appearing for the petitioner would submit that the petitioner is innocent and he was falsely implicated in this case and he has not committed any offence as alleged by the prosecution. He would further submit that he has been arrested and remanded to judicial custody on 16.01.2026. Therefore, prayed to grant bail for the petitioner.

4. The learned Additional Public Prosecutor appearing for the



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respondent would submit that the statement of the victim was recorded under Section 183 of BNSS, 2023 and the petitioner was detained under Act 14 of 1982 and thereafter, the same was revoked. He would further submit that the petitioner has no previous case and however, he strongly opposed to grant bail to the petitioner.

5. This Court heard both sides and perused the materials available on record, including the statement of the victim recorded under Section 183 of BNSS, 2023.

6. Considering the rival submissions made by the learned counsel on either side, nature of the allegations levelled as against the petitioner and considering the facts that the statement of the victim was recorded under Section 183 of BNSS, 2023 and the petitioner has no previous cases and considering the fact that the petitioner was detained under Section Act 14 of 1982 and later, the same was revoked and also considering the period of incarceration undergone by the petitioner and all other factors, this Court is inclined to grant bail to the petitioner subject to the following conditions:



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[a] Accordingly, the petitioner is ordered to be released on bail on condition to 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 Principal Special Court for Exclusive Trial of Cases under POCSO Act, Thanjavur, and on further conditions that:

[b] the petitioner shall report before the Principal Special Court for Exclusive Trial of Cases under POCSO Act, Thanjavur on every Monday at 10.30 a.m., for a period of eight weeks and thereafter as and when required for interrogation.

[c] the petitioner shall not commit any offence similar to the offence of which he/she is accused, or suspected, or of the commission of which he/she is suspected;

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

[e] the petitioner shall not directly or indirectly make any inducement, threat or promise to any person acquainted



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with the facts of the case so as to dissuade her from disclosing such facts to the Court or to any police officer or tamper with the evidence;

[f] On breach of any of the aforesaid conditions, the learned Judicial 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].

[g] If the accused thereafter absconds, a fresh FIR can be registered under Section 269 BNS.

(P D B J)
25.03.2026

apd

To

1.The Principal Special Court for Exclusive Trial of Cases
under POCSO Act,
Thanjavur.

2.The Inspector of Police,
All Women Police Station,
Thanjavur.

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3. The Superintendent, Central Prison, Thanjavur.

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

ORDER
IN
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