



CRL OP(MD). No. 4289 of 2026

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 26.03.2026

PRESENT

THE HONOURABLE MR. JUSTICE P. DHANABAL

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Arokiyadass

...Petitioner/Accused

Vs

State of Tamil Nadu rep. by
The Inspector of Police,
All Women Police Station
Devakottai
Sivagangai District.
(Crime No. 8 of 2025)

...Respondent/Complainant

For Petitioner : Mr.S.Sathyachidambaram
Advocate.

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

PETITION FOR BAIL Under Sec.483 of BNSS

PRAYER :-

For Bail in Cr.No. 8 of 2025 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 18.05.2025 for the offences punishable under Sections 351(2) of BNS and Sections 5(l), 5(j)(ii) r/w 6 of POCSO Act in Crime No. 8 of 2025 on the file of the respondent police, seeks bail.

2. The case of the prosecution is that the petitioner is the husband of the tuition teacher of the victim girl, and she was attending tuition classes at their residence and during that period, the petitioner has committed aggravated penetrative sexual assault on the victim, due to which the victim girl became pregnant. 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 18.05.2025. 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 this is the fourth bail application of the petitioner and the petitioner has no previous case. He would further submit that the investigation is completed and charge sheet has been filed and the same is taken on file in Spl.S.C.No.107 of 2025 on the file of the learned Principal Special Court of Exclusive Trial of Cases under POCSO Act, Sivagangai. He would further submit that during trial, P.W. 1 to P.W.3 were already examined and today, posted for the examination of P.W.4 and the offences are grave in nature and hence, he strongly opposed to grant bail to the petitioner.

5. This Court heard both sides and perused the materials available on record.

6. Considering the rival submissions made by the learned counsel on either side, nature of offence, and considering the facts that the investigation is completed and charge sheet has been filed and the same is taken on file in Spl.S.C.No.107 of 2025 on the file of the learned Principal Special Court of Exclusive Trial of Cases under POCSO Act, Sivagangai and already three witnesses were examined including the



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victim girl and the petitioner has no previous case and also considering the period of incarceration undergone by the petitioner, this Court is inclined to grant bail to the petitioner subject to the following conditions:

[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 learned Principal Special Court of Exclusive Trial of Cases under POCSO Act, Sivagangai, and on further conditions that:

[b] the petitioner shall report before the learned Principal Special Court of Exclusive Trial of Cases under POCSO Act, Sivagangai, on all working days at 10.30 a.m., until further orders;

[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;



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[e] the petitioner shall not directly or indirectly make any inducement, threat or promise to any person acquainted 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)
26.03.2026

apd



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To

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1. The Principal Special Court of Exclusive Trial of Cases
under POCSO Act,
Sivagangai.
2. The Inspector of Police,
All Women Police Station
Devakottai
Sivagangai District.
3. The Superintendent, District Prison, Ramanathapuram.
4. The Additional Public Prosecutor,
Madurai Bench of Madras High Court, Madurai.



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P. DHANABAL, J

apd

ORDER
IN
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