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CRL OP(MD). No.4516 of 2026

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 27/02/2026

PRESENT

The HONOURABLE MRS. JUSTICE S.SRIMATHY

CRL OP(MD). No.4516 of 2026

Shanmugavalli

... Petitioner/Accused

Vs

The State of Tamil Nadu,
Rep By,
The Inspector of Police,
Kodaikanal All Women Police Station,
Dindigul District.
Cr.No.01/2026.

... Respondent/Complainant

For Petitioner : M/s.P.Krishnaveni,
Advocate.

For Respondent : Mr.Eantony Sahaya Prabahar.,
Additional Public Prosecutor

PETITION FOR BAIL Under Sec.483 of BNSS

PRAYER :- To enlarge the petitioner on bail in connection with the case in Spl S.C.No.12 of 2026 on the file of the Hon`ble Special Court for Exclusive Trial of cases under POCSO Act, Dindigul in Cr.No.01 of 2026 on the file of the respondent police.

1/6



CRL OP(MD), No.4516 of 2026

WEB COPY

ORDER : The Court made the following order :-

The petitioner, who was arrested and remanded to judicial custody on 04.01.2026 for the offences punishable under Sections 87 of BNS, r/w. 9(1), 9(n), 10, 17 of POCSO Act @ 87 of BNS, r/w. 9(I), 9(n), 10, 11(1), 11(5), 12, 16, 17 of Protection of Children from Sexual Offences Act, 2012, Spl S.C.No.12 of 2026 on the file of the Hon'ble Special Court for Exclusive Trial of cases under POCSO Act, Dindigul in Cr.No. 01 of 2026 on the file of the respondent polic, seeks bail.

2. The case of the prosecution is that on 03.01.2026, the victim, along with her mother and A-1, went to Kodaikanal, where A-1 sexually assaulted her. Thereafter, the victim informed her mother (A-2) that A-1 had sexually assaulted and sexually harassed her. However, A-2 asked the victim not to disclose the incident to anyone, as A-1 was taking care of them. 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



CRL OP(MD), No.4516 of 2026

as alleged by the prosecution. He further submitted that the petitioner is in judicial custody from 04.01.2026. Hence, he seeks bail to the petitioner.

4. The learned Additional Public Prosecutor submitted that the petitioner is the mother of the victim and that the specific overt act against the petitioner is that she failed to take any steps to protect the victim. Therefore, he opposed for grant of bail to the petitioner.

5. Considering the nature of the offence and also considering the period of incarceration suffered by 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 Sessions Judge, Principal Special Court for Exclusive Trial of Cases under POCSO Act, Dindigul, and on further conditions that :-



CRL OP(MD), No.4516 of 2026

[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 report before the respondent police 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 269 BNS.

(S S Y J)
27.02.2026

jbr



CRL OP(MD), No.4516 of 2026

TO
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1. The Sessions Judge, Principal Special Court
for Exclusive Trial of Cases under POCSO Act, Dindigul.
2. The Superintendent, Sub Jail for Women,
Dindigul.
3. The Inspector of Police,
Kodaikanal All Women Police Station,
Dindigul District.
4. The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.



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CRL OP(MD), No.4516 of 2026

S.SRIMATHY,J

jbr

ORDER
IN
CRL OP(MD) No.4516 of 2026

Date : 27/02/2026