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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 16.03.2026

PRESENT

THE HONOURABLE MR. JUSTICE K.K.RAMAKRISHNAN

CRL OP(MD)No.5077 of 2026

Lakshmanan ... Petitioner/Sole Accused

Vs

The State of Tamilnadu,
Rep by the Inspector of Police,
All Women Police Station,
Kanyakumari District.
(Crime No.46 of 2025)

... Respondent/Complainant

For Petitioner : Mr.N.Pragalathan

For Respondent : Mr.S.Ravi
Additional Public Prosecutor

PETITION FOR BAIL Under Sec.483 of BNSS

PRAYER :- For Bail in Crime No.46 of 2025 on the
file of the respondent police.

ORDER : The Court made the following order :-

The petitioner, who was arrested and remanded to
judicial custody on 19.02.2026 for the offences

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punishable under Sections 296(b) of BNS and Section 11(1), 12 of POCSO Act, in Crime No. 46 of 2025 on the file of the respondent police, seeks bail.

2. According to the prosecution, on 08.12.2025 at about 07.30 p.m, the petitioner is said to have committed the sexual assault upon the victim girl, who is the college going student by showing his private parts. Based on the complaint given by the complainant, respondent police registered a case in Crime No.46 of 2025 for the aforesaid offences and arrested him on 19.02.2026. Hence, this petition.

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 19.02.2026. Hence, he seeks bail to the petitioner.

4. The learned Additional Public Prosecutor vehemently opposed to grant of bail to the petitioner



by producing the statement of the victim girl recorded under Section 164 Cr.P.C and also the CD file.

5. This Court perused the CD file. considering the period of incarceration and the statement of the victim recorded under Section 164 Cr.P.C., and, 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) each with two sureties, each for a like sum to the satisfaction of the learned Special Court for the POCSO Act Cases, Nagercoil, Kanniyakumari District, 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;



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[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



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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.

16.03.2026

dss

To

1. The POCSO Act Cases,
Nagercoil, Kanniyakumari District.
2. The Superintendent,
District Jail, Nagercoil,
Kanniyakumari District.
3. The Inspector of Police,
All Women Police Station,
Kanyakumari District.
4. The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.



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K. K. RAMAKRISHNAN, J.

dss

ORDER
IN
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