



CRL OP(MD). No.5632 of 2026

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

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(Criminal Jurisdiction)

Date : 23.03.2026

PRESENT

THE HONOURABLE MR. JUSTICE P. DHANABAL

CRL OP(MD). No.5632 of 2026

Chinnasamy @ Silli

...Petitioner/Accused

Vs

State of Tamil Nadu rep. by
The Inspector of Police,
All Women Police Station,
Samayanallur,
Madurai
(Crime No. 10 of 2026)

...Respondent/Complainant

For Petitioner : Mr.S. S.Murugaganesa

For Respondent : Mr.B.Nambi Selvam

Additional Public Prosecutor

PETITION FOR BAIL Under Sec.483 of BNSS

PRAYER :-

For Bail in Cr.No. 10 of 2026 on the file of the respondent police.

ORDER : The Court made the following order :-



CRL OP(MD). No.5632 of 2026

The petitioner / Accused, who was arrested and remanded to judicial custody on 09.02.2026 for the offences punishable under Sections 137(2), 351(2) of BNS (corresponding to Sections 363, 506(i) of IPC) and Section 9(m) and 10 of POCSO Act, 2012 in Crime No.10 of 2026 on the file of the respondent police, seeks bail.

2. The case of the prosecution is that the petitioner took the victim to the thorn bushes and committed sexual assault on the minor victim who is aged about seven years and also threatened her not to disclose the same to anyone. Hence the case.

3. The learned counsel for the petitioner would submit that the petitioner is innocent and he was falsely implicated in this case and he is no way connected in the above said incident. He has not committed any offence as alleged by the prosecution. The petitioner has been arrested and remanded to judicial custody on 09.02.2026. Hence, he prays to grant bail to the petitioner.

4. The learned Additional Public Prosecutor appearing for the respondent would submit that petitioner took the victim to the thorn bushes



CRL OP(MD). No.5632 of 2026

and committed sexual assault on the minor victim who is aged about seven years and also threatened her not to disclose the same to anyone. He would further submit that the investigation is pending, however the petitioner has no previous case. Hence, he 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 fact that already the statement of the victim was recorded under Section 183 of BNSS and also considering the period of incarceration undergone by the petitioner, and also taking note of the fact that no previous case is pending against 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 Principal Special Court for



CRL OP(MD). No.5632 of 2026

Exclusive trial of cases under POCSO Act, Madurai, and on further conditions that:

[b] the petitioner shall report before the respondent police daily at 10.30 a.m., until further orders.

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



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CRL OP(MD). No.5632 of 2026

[g] If the accused thereafter absconds, a fresh FIR can be

registered under Section 269 BNS.

(P D B J)

23.03.2026

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To

- 1.The Principal Special Court for Exclusive trial of cases under POCSO Act, Madurai
- 2.The Inspector of Police,
All Women Police Station,
Samayanallur,
Madurai
3. The Superintendent, Central Prison, Madurai
- 4.The Additional Public Prosecutor,
Madurai Bench of Madras High Court, Madurai.



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CRL OP(MD). No.5632 of 2026
P. DHANABAL, J

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ORDER
IN
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