



CRL OP(MD). No. 5742 of 2026

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 07.04.2026

PRESENT

THE HONOURABLE MR. JUSTICE P. DHANABAL

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Santhosh

...Petitioner/Accused

Vs

State of Tamil Nadu rep. by
The Inspector of Police,
Manamadurai All Women Police Station
(Crime No. 3 of 2026)

...Respondent/Complainant

For Petitioner : Mr.K.Maheshraja
Advocate.

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

PETITION FOR BAIL Under Sec.483 of BNSS

PRAYER :-

For Bail in Cr.No. 3 of 2026 on the file of the respondent police.

ORDER : The Court made the following order :-



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The petitioner / Accused, who was arrested and remanded to judicial custody on 06.02.2026 for the offences punishable under Sections 3, 4, 5(n) r/w 6 of POCSO Act and 115(2), 351(2) of BNS, 2023 in Crime No. 3 of 2026 on the file of the respondent police, seeks bail.

2. The case of the prosecution is that on 02.02.2026 at about 5.50 p.m., when the victim girl returned from school, the accused, who is the relative to the victim aged about 19 years, sexually abused her and physically assaulted her and threatened her not to tell the incident to any one, due to which a complaint has been lodged by the mother of the victim. Based on the complaint, the petitioner has been arrayed as accused in this case. 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 06.02.2026. Therefore, prayed to grant bail for the petitioner.



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4. The learned Additional Public Prosecutor appearing for the respondent would submit that based on the complaint lodged by the mother of the victim the case has been registered under Sections 3, 4, 5(n) r/w 6 of POCSO Act and 115(2), 351(2) of BNS, 2023 in Crime No. 3 of 2026. He would further submit that the investigation is completed and charge sheet is filed by way of e-filing. He would further submit that the petitioner has no previous case 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 investigation is completed and charge sheet was filed by way of e-filing and no previous case is pending against the petitioner 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:



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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 learned Sessions Judge, Principal Special Court for Exclusive Trial of cases under POCSO Act, Sivagangai, and on further conditions that:

[b] the petitioner shall report before the learned Sessions Judge, Principal Special Court for 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;

[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



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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)
07.04.2026

apd

To

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

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P. DHANABAL, J

apd

ORDER
IN
CRL OP(MD) No. 5742 of 2026

Date : 07.04.2026