



CRL OP(MD). No. 5709 of 2026

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 23.03.2026

PRESENT

THE HONOURABLE MR. JUSTICE P. DHANABAL

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Kannan

...Petitioner/Accused

Vs

State of Tamil Nadu rep. by
The Inspector of Police,
AWPS-Papanasam Police Station
Thanjavur District.
(Crime No. 4 of 2026)

...Respondent/Complainant

For Petitioner : Mr.J.Mohamed Ashik Jaman
Advocate.

For Respondent : Mr.B.Nambi Selvan
Additional Government Pleader

PETITION FOR BAIL Under Sec.483 of BNSS

PRAYER :-

For Bail in Cr.No. 4 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 28.02.2026 for the offences punishable under Sections 87 of BNS and 7 and 8 of POCSO Act, 2012 in Crime No. 4 of 2026 on the file of the respondent police, seeks bail.

2. The case of the prosecution is that on 23.02.2026, the first accused enticed and lured away a minor girl aged about 14 years, took her to a rented room arranged by the third accused and sexually abused her. The petitioner herein, the second accused, is alleged to have provided the rental room to the first accused. 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 there is no specific overt-act as against the petitioner and however, he has been arrested and remanded to judicial custody on 28.02.2026. Therefore, prayed to grant bail for the petitioner.

4. The learned Government Advocate appearing for the respondent



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would submit that the petitioner has been arrayed as A2 and the petitioner facilitated the first accused by providing room. He would further submit that he has no previous case 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 fact that there is no specific overt-act as against the petitioner and the main allegation is as against the first accused and also 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



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each for a like sum to the satisfaction of the Sessions Judge, Principal Special Court for the Exclusive Trial of Cases under POCSO Act, Thanjavur, 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 she is accused, or suspected, or of the commission of which 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 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



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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)
23.03.2026

apd

To

- 1.The Sessions Judge,
Principal Special Court for the Exclusive Trial of Cases
under POCSO Act,
Thanjavur
- 2.The Inspector of Police,
AWPS-Papanasam Police Station
Thanjavur District.
3. The Superintendent, District Jail, Pudukkottai.
- 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. 5709 of 2026

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