



CRL OP(MD). No. 6179 of 2026

WEB COPY

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT
(Criminal Jurisdiction)

Date : 30.03.2026

PRESENT

THE HONOURABLE MR. JUSTICE P. DHANABAL

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Surya Ganesh ...Petitioner/Sole Accused

Vs

State of Tamil Nadu rep. by
The Inspector of Police,
All Women Police Station,
Theni,
Theni District.
(Crime No.5 of 2026)

...Respondent/Complainant

For Petitioner:Mr.S.Balaji
Advocate.

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

PETITION FOR BAIL Under Sec.483 of BNSS

PRAYER :-

For Bail in Cr.No. 5 of 2026 on the file of
the respondent police.

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WEB COPY ORDER : The Court made the following order :-

The petitioner / Sole accused, who was arrested and remanded to judicial custody on 08.02.2026 for the offences punishable under Section 87 of BNS, 2023 and Section 5(1), 5(j) (ii) r/w Section 6 of POCSO Act, in Crime No.5 of 2026 on the file of the respondent police, seeks bail.

2.The case of the prosecution is that due to love affair, the petitioner had committed penetrative sexual assault on the victim girl and hence, she became pregnant. Hence, the complaint.

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



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prosecution. The petitioner has been arrested and remanded to judicial custody on 08.02.2026. Hence, he prays to grant anticipatory bail to the petitioner.

4. The learned Government Advocate appearing for the respondent would submit that the investigation is not yet completed and the statement of the victim was recorded under Section 183 of BNSS, 2023. He would further submit that the petitioner has no previous case. However, he opposed to grant bail to the petitioner.

5. This Court heard both sides and perused the materials available on record, including the statement of the victim recorded under Section 183 of BNSS, 2023.



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6. Considering the rival submissions made by the learned counsel on either side, nature of the allegations levelled as against the petitioner and considering the facts that the statement of the victim was recorded under Section 183 of BNSS, 2023 and the petitioner has no previous cases 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 each for a like sum to the satisfaction of the learned Special Court for Exclusive Trial of Cases under POCSO Act, Theni and on further conditions that:



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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 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



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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)

30.03.2026

vsg



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To
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- 1.The learned Special Court
for Exclusive Trial of Cases under POCSO Act,
Theni.
- 2.The Inspector of Police,
All Women Police Station,
Theni,
Theni District.
3. The Superintendent, District Jail, Theni.
- 4.The Additional Public Prosecutor,
Madurai Bench of Madras High Court, Madurai.



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P. DHANABAL, J

vsg

ORDER
IN
CRL OP (MD) No. 6179 of 2026

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