



CRL OP(MD). No.7854 of 2026

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 29/04/2026

PRESENT

The HONOURABLE **MR. JUSTICE P. DHANABAL**

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Sukumar,
S/o.Jeyachanthiran,
18, Naduoor South
Street, Perunkulam,
Thoothukudi District.

... Petitioner/Sole Accused

Vs

The State of Tamilnadu Rep By,
The Inspector of Police,
All Women Police Station,
Srivaikundam,
Thoothukudi District.
(Cr.No.23 of 2025).

... Respondent/Complainant

For Petitioner : Mr. S. Manoj Vasanth,
Advocate.

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

PETITION FOR BAIL Under Sec.483 of BNSS

PRAYER :- to enlarge the petitioner/sole accused
on bail in connection with Spl.S.C.No.206 of 2025
before the learned Sessions Judge, Special Court



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for Exclusive Trial of Cases under POCSO Act,
Thoothukudi.

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ORDER : The Court made the following order :-

The petitioner/Sole Accused, who was arrested and remanded to judicial custody on 27.07.2025 for the offences punishable under Sections 5(1), 5(j)(ii), 5(n) r/w 6 of POCSO Act, 2023, and Section 351(3) of BNS, 2023, in Crime No.23 of 2025 on the file of the respondent police, seeks bail.

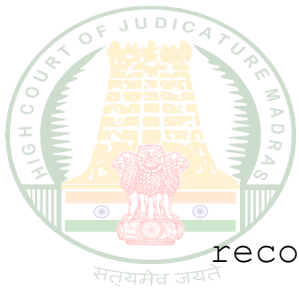
2. The case of the prosecution is that the petitioner is the uncle of the victim girl and the victim girl is 14 years old at the time of occurrence and she is studying 10th standard. During the month of December 2024, the petitioner committed penetrative sexual assault on the victim girl and consequently, she became pregnant. Hence, the case.



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WEB COPY 3.The learned counsel for the petitioner would submit that the petitioner is an innocent person and he was falsely implicated in this case. He has not committed any offence as alleged by the prosecution. The petitioner has been arrested and remanded to judicial custody on 27.07.2025. Hence, he prays to grant bail to the petitioner.

4.The learned Additional Public Prosecutor appearing for the respondent would submit that the investigation has been completed and the final report has also been filed and the same was taken on file in Spl.S.C.No.206 of 2025 by the learned Sessions Judge, Special Court for Exclusive Trial of Cases under POCSO Act, Thoothukudi, and now the case was posted for examination of L.W.7 and L.W.8. He would further submit that the statement of the victim was

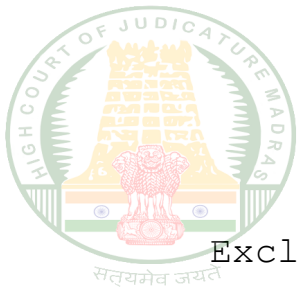


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recorded under Section 183 of BNSS, 2023. He would further submit that the petitioner has no previous case. However, he opposed to grant bail to the petitioner.

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.

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 the investigation has been completed and the final report has also been filed and the same was taken on file in Spl.S.C.No.206 of 2025 by the learned Sessions Judge, Special Court for

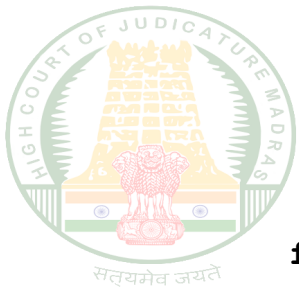


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Exclusive Trial of Cases under POCSO Act, Thoothukudi, and now the case was posted for examination of L.W.7 and L.W.8 and also considering the period of incarceration undergone by the petitioner from 27.07.2025, this Court is inclined to grant bail 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 Sessions Judge, Special Court for Exclusive Trial of Cases under POCSO Act, Thoothukudi, and on further conditions that:

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



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for Exclusive Trial of Cases under POCSO Act, Thoothukudi, 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 such facts to the Court or to any police officer or tamper with the evidence;



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[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)
29.04.2026

VSG



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1.The learned Sessions Judge, Special Court for Exclusive Trial of Cases under POCSO Act, Thoothukudi.

2.The Inspector of Police,
All Women Police Station,
Srivaikundam,
Thoothukudi District.

3.The Officer-in-Charge, District Jail, Perurani.

4. The Additional Public Prosecutor,
Madurai Bench of Madras High Court, Madurai.



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P. DHANABAL, J. ,

vsg

ORDER
IN
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