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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 21.04.2026

PRESENT

THE HONOURABLE MR. JUSTICE P. DHANABAL

CRL OP (MD) . No. 7771 of 2026

Ismath Inainu

...Petitioner/Sole Accused
Vs

State of Tamil Nadu rep by
The Inspector of Police,
Keelakarai Police Station,
Ramanathapuram District.
(Crime No.12 of 2024)

...Respondent/Complainant
For Petitioner:Mr.D.S.Haroon Rasheed
For Respondent:Mr.B.Nambi Selvan
Additional Public Prosecutor

PETITION FOR BAIL Under Sec.483 of BNSS

PRAYER : to enlarge the petitioner on bail in
connection with Spl.S.C.No.8 of 2025 on the file
of the Fast Track Mahil Court, (Mahaleer
Neethimandram) Ramanathapuram, in connection with
Crime No.12 of 2024 on the file of the respondent
Police.

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ORDER : The Court made the following order :-

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The petitioner/Sole accused, who was arrested and remanded to judicial custody on 21.11.2024 for the offences punishable under Sections 5(m), 5(1) and 6 of POCSO Act, in Crime No.12 of 2024 on the file of the respondent police, seeks bail.

2.The case of the prosecution is that the defacto complainant is the mother of the victim child. On 15.11.2024, at about 09.00 a.m., the defacto complainant's daughter went to the school through the petitioner's rental vehicle TATA Magic bearing Registration No.TN 65 J 7357, and the petitioner committed penetrative sexual assault on the victim child and kissed her. Hence, the complaint.

3.The learned counsel for the petitioner would submit that the petitioner is an innocent person and he was falsely implicated in this



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case. He has not committed any offence as alleged by the prosecution. The petitioner has been arrested and remanded to judicial custody on 21.11.2024. Hence, he prays to grant bail to the petitioner.

4.The learned Additional Public Prosecutor appearing for the respondent Police would submit that the investigation has been completed and the final report has been filed and the same was taken on file in Spl.S.C.No.8 of 2025 by the Fast Track Mahila Court, (Mahaleer Neethimandram), Ramanathapuram, and now the case is posted for arguments 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.



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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 as per medical evidence, no injuries was sustained by the victim girl and the statement of the victim was recorded under Section 183 of BNSS, 2023, and the case in Spl.S.C.No.8 of 2025 on the file of the Fast Track Mahila Court, (Mahaleer Neethimandram), Ramanathapuram, is posted for arguments and the petitioner has no previous cases and also considering the period of incarceration undergone by the petitioner from 21.11.2024, 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 Fast Track Mahila Court, (Mahaleer Neethimandram), Ramanathapuram, and on further conditions that:

[b] the petitioner shall report before the Fast Track Mahila Court, (Mahaleer Neethimandram), Ramanathapuram, on all hearing dates 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;



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[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



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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)

21.04.2026

vsg

To

1.The Fast Track Mahila Court, (Mahaleer
Neethimandram), Ramanathapuram.

2.The Inspector of Police,
Keelakarai Police Station,
Ramanathapuram District.

3.The Superintendent,
Central Prison, Madurai District.

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. 7771 of 2026

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