

CRL OP(MD). No.8584 of 2026

WEB COPY

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 29/04/2026

PRESENT

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

CRL OP(MD). No.8584 of 2026

R.Ratheesh,
S/o.Rajan,
Manneduthanvilai,
Markankonam,
Mekkamandabam Post,
Kanyakumari..

... Petitioner/Accused No.1
Vs

The State of TamilnaduRep By,
The Inspector of Police,
All Women Police Station,
Marthandam,
Kanyakumari District,
Cr.No.32 of 2024..

... Respondent/Complainant

For Petitioner : Mr.C.Prithviraj,
Advocate.

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

PETITION FOR BAIL Under Sec.483 of BNSS

PRAYER :-To release the petitioner/A1 on bail in connection with Spl S.C.No.14 of 2025 on the file of the Special Court for the Exclusive Trial of POCSO Act Cases, Nagercoil at Kanniyakumari



CRL OP(MD). No.8584 of 2026

District in Cr.No.32 of 2024 dated 27.12.2024 on the file of the respondent Police.

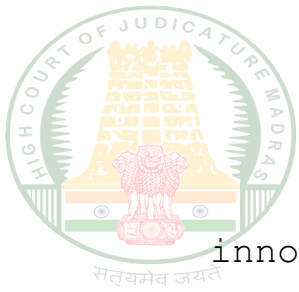
WEB COPY

ORDER : The Court made the following order :-

The petitioner/A1, who was arrested and remanded to judicial custody on 31.12.2024 for the offences punishable under Sections 5(i), 5(1) r/w 6 of POCSO Act, Section 126, 127, 351(2), 64 and 96 of BNS, 2023 in Crime No. 32 of 2024 on the file of the respondent police, seeks bail.

2. The case of the prosecution is that on the date of occurrence, the petitioner convinced the victim girl, who aged about 17 years, and took her to his bike and abused her by committing aggravated penetrated sexual assault. Based on the complaint given by the victim girl, he has been arrayed as A1 in this case. Hence the case.

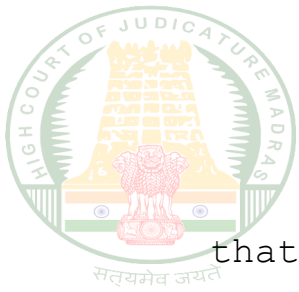
3. The learned counsel appearing for the petitioner would submit that the petitioner is



CRL OP(MD). No.8584 of 2026

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 31.12.2024. Therefore, prayed to grant bail for the petitioner.

4. The learned Additional Public Prosecutor appearing for the respondent would submit that based on the complaint lodged by the victim, the case has been registered under Sections 5(i), 5(1) r/w 6 of POCSO Act, Section 126, 127, 351(2), 64 and 96 of BNS, 2023 in Crime No. 32 of 2024. He would further submit that after investigation, charge sheet was filed and the same is taken on file in Spl.S.C.No.14 of 2025 by the learned Sessions Judge, Special Court for POCSO Act cases, at Nagercoil, Kanyakumari and the case is posted for examination of Investigation Officer. He would further submit

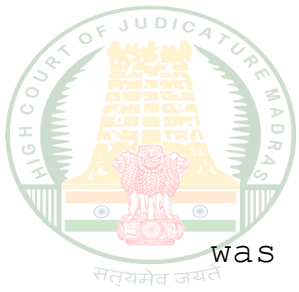


CRL OP(MD). No.8584 of 2026

that earlier the petitioner was detained under Act 14, 1982 and the period of detention ie., one year was over. He would further submit that 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, 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 offence, and considering the facts that after investigation, charge sheet was filed and the same is taken on file in Spl.S.C.No.14 of 2025 by the learned Sessions Judge, Special Court for POCSO Act cases, at Nagercoil, Kanyakumari and the case is posted for examination of Investigation Officer and earlier the petitioner

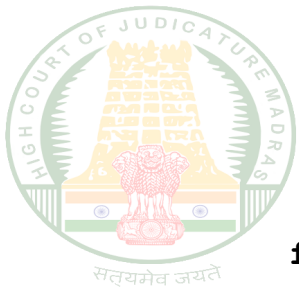


CRL OP(MD). No.8584 of 2026

was detained under Act 14, 1982 and the period of detention ie., one year was over and the statement of the victim was recorded under Section 183 of BNSS, 2023, and also considering the period of incarceration undergone by the petitioner from 31.12.2024, 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 POCSO Act cases, at Nagercoil, Kanyakumari, and on further conditions that:

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



CRL OP(MD). No.8584 of 2026

WEB COPY

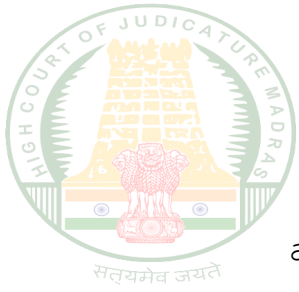
**for POCSO Act cases, at Nagercoil,
Kanyakumari, on all working days at 10.30
a.m., until further orders;**

[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;

[f] On breach of any of the aforesaid conditions, the learned Judicial Magistrate/Trial Court is entitled to take



CRL OP(MD). No.8584 of 2026

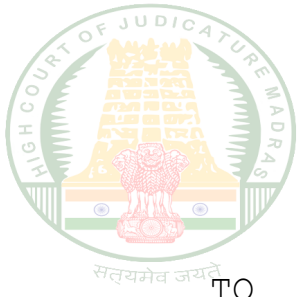
WEB COPY

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



CRL OP(MD). No.8584 of 2026

TO
WEB COPY

1.The learned Sessions Judge, Special Court for
POCSO Act cases, at Nagercoil, Kanyakumari.

2.The Inspector of Police,
All Women Police Station,
Marthandam,
Kanyakumari District.

3.The Superintendent, Central Prison,
Palayamkottai.

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



WEB COPY



CRL OP(MD). No.8584 of 2026

P. DHANABAL, J. ,

vsg

ORDER
IN
CRL OP (MD) No.8584 of 2026

Date : 29/04/2026