



CRL OP(MD). No.8428 of 2026

WEB COPY

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 02/06/2026

PRESENT

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

CRL OP(MD). No.8428 of 2026

Ajith Kumar,
S/o. A.P. Rajan,
Eluppakonam,
Thuckalay Post,
Kanyakumari District..

... Petitioner/A1

Vs

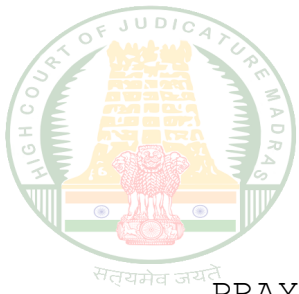
State of Tamilnadu Rep by,
The Inspector of Police,
Thuckalay Police Station,
Thuckalay,
Kanyakumari District.
Crime No. 229 of 2025..

... Respondent/Complainant

For Petitioner : Mr.Sivabalan
for M/s.Aran Legal Consultancy,
Advocate.

For Respondent : Mr.G.Ganesh Kumar,
Government Advocate (Crl.Side)

PETITION FOR BAIL Under Sec.483 of BNSS



CRL OP(MD). No.8428 of 2026

PRAYER :-

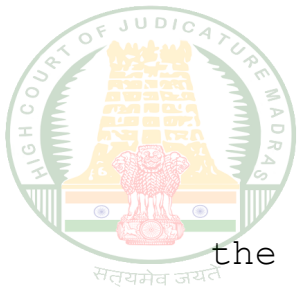
WEB COPY

C-58B. To enlarge the petitioner on bail in connection with the case in Spl.S.C. No. 29 of 2025 in Crime No. 229 of 2025 on the file of the Learned Special Court for the Exclusive Trial of POCSO Act Cases, Kanyakumari District at Nagercoil.

ORDER : The Court made the following order :-

The petitioner/A1, who was arrested and remanded to judicial custody on 17.03.2025 for the offences punishable under Sections 64, 87 and 351(2) of BNS, 2023 r/w Section 5(1), 6, 7, 8, 9(m), 10, 11(4) and 12 of POCSO Act, 2012, in Crime No.229 of 2025 on the file of the respondent police, seeks bail.

2. The case of the prosecution is that, on 13.03.2025, at about 2.00 a.m., both the victim girls took Rs.15,000/- from their house and came to Thuckalay on their bicycles. While the victim girls were standing at the Thuckalay bus stand,



CRL OP(MD). No.8428 of 2026

WEB COPY

the petitioner came there, enquired with them, and kidnapped them to his office. Thereafter, the petitioner committed penetrative sexual assault on the victim girls. Subsequently, the petitioner boarded the victim girls on a bus to Trichy from the Vadasery bus stand to meet their Instagram friend, one Mohan, from Villupuram. Hence, the case.

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. He would further submit that the co-accused was released on bail. The petitioner has been arrested and remanded to judicial custody on 17.03.2025. Hence, he prays to grant bail to the petitioner.



CRL OP(MD). No.8428 of 2026

WEB COPY

4.The learned Government Advocate (Crl. Side) 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.29 of 2025 by the learned Special Court for the Exclusive Trial of POCSO Act Cases, Kanniyakumari District, at Nagercoil, and now the case is pending trial. He would further submit that the statement of the victim girls recorded under Section 183 of BNSS, 2023. He would further submit that the petitioner was detained under Goondas Act and thereafter, the same was revoked by this Court. However, 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 victims recorded under Section 183 of BNSS, 2023.



CRL OP(MD). No.8428 of 2026

WEB COPY

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 co-accused was released on bail and the statement of the victims recorded under Section 183 of BNSS, 2023 and the petitioner was detained under Goondas Act and thereafter, the same was revoked by this Court 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.29 of 2025 by the learned Special Court for the Exclusive Trial of POCSO Act Cases, Kanniyakumari District, at Nagercoil, and most of the witnesses were examined and also considering the period of incarceration undergone by the petitioner from 17.03.2025, this Court is inclined to grant bail to the petitioner subject to the following conditions:



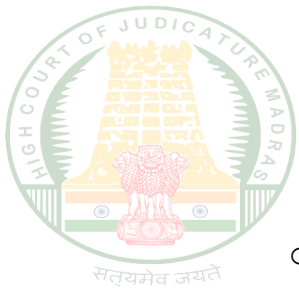
CRL OP(MD). No.8428 of 2026

WEB COPY

[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 the Exclusive Trial of POCSO Act Cases, Kanniyakumari District, at Nagercoil, and on further conditions that:

[b] the petitioner shall report before the learned Special Court for the Exclusive Trial of POCSO Act Cases, Kanniyakumari District, at Nagercoil, 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



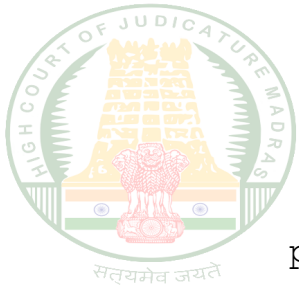
CRL OP(MD). No.8428 of 2026

of the commission of which he/she is
WEB COPY 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



CRL OP(MD). No.8428 of 2026

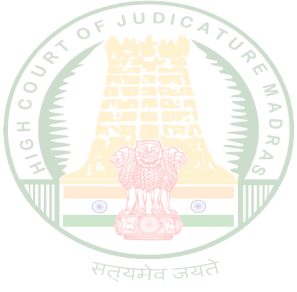
WEB COPY

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)
02.06.2026

VSG



CRL OP(MD). No.8428 of 2026

WEB COPY

TO

- 1.The learned Special Court for the Exclusive Trial of POCSO Act Cases, Kanniyakumari District, at Nagercoil.
- 2.The Superintendent, Central Prison, Palayamkottai, Tirunelveli District.
- 3.The Inspector of Police, Thuckalay Police Station, Thuckalay, Kanyakumari District.
- 4.The Additional Public Prosecutor, Madurai Bench of Madras High Court, Madurai.



WEB COPY



CRL OP(MD) . No.8428 of 2026

P. DHANABAL, J. ,

vsg

ORDER
IN
CRL OP(MD) No.8428 of 2026

Date : 02/06/2026