

Crl.O.P.(MD)No.11365 of 2026

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 17.06.2026

PRESENT

THE HONOURABLE MR. JUSTICE P. DHANABAL

CRL OP(MD). No. 11365 of 2026

Johnrose

...Petitioner

Vs

State of Tamil Nadu rep. by
The Inspector of Police,
All Women Police Station,
Marthandam, Kanniyakumari District.
(Crime No.30 of 2024)

...Respondent/Complainant

For Petitioner : Mr.S.Karthikeyan
Advocate

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

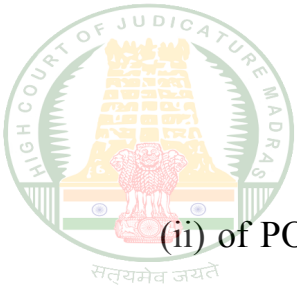
PETITION FOR BAIL Under Sec.483 of BNSS

PRAYER :-

For Bail in Cr.No. 30 of 2024 on the file of the respondent police.

ORDER : The Court made the following order :-

The petitioner / Accused, who was arrested and remanded to judicial custody on 20.02.2025, for the offences punishable under Sections 332(b), 64 of BNS Act, 6, (5(j)(ii), 4(1), 3(c), 7, 8 POCSO Act, altered to 5(1), 5(n), 6, 5(j)



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(ii) of POCSO Act and 96 and 64 of BNS Act, in Crime No.30 of 2024 on the file of the respondent police, seeks bail.

2. The case of the prosecution is that the accused person taken the victim child to a separate place, by stating that her mother was suffering from fever, and had sexual intercourse for many times. Hence, the case.

3. The learned counsel appearing for the petitioner would submit that the petitioner is innocent and he was falsely implicated in this case and he has not committed any offence as alleged by the prosecution. Investigation in this case has been completed and charge sheet has also been filed before the trial Court. Now the case is pending trial. Hence, he prayed bail for the petitioner.

4. The learned Government Advocate (crl. Side) appearing for the respondent would submit that the offence are grave in nature. The petitioner took the victim and committed sexual assault upon her. He kept the victim with him for three days. Now the victim gave birth a female child. Investigation in this case has been completed and the case is pending trial in Spl.S.C.No.74 of 2025 on the file of the Special Court for Exclusive Trial of Cases under POCSO Act, Kanniyakumari at Nagercoil. Now four witnesses have been examined.



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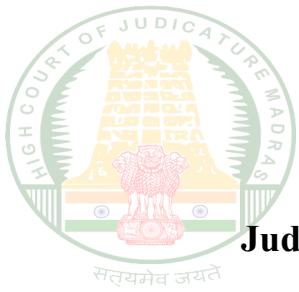
The petitioner has no previous cases. Hence, he opposed the grant of bail to the petitioner.

5. This Court heard both sides and perused the materials available on record.

6. Considering the rival submissions made by the learned counsel on either side, considering the nature of charges levelled against the petitioner, already investigation has been completed and now the case is pending for examination of further witnesses, already material witnesses were examined, there is no previous case against the petitioner and 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 **Sessions Judge, Special Court for Exclusive Trial of Cases under POCSO Act, Kanniyakumari at Nagercoil**, and on further conditions that:

[b] the petitioner shall report before the learned Sessions



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Judge, Special Court for Exclusive Trial of Cases under POCSO

Act, Kanniyakumari at Nagercoil at 10.30 a.m., on all working

days, 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 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.



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(P D B J)
17.06.2026

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To

1.The Sessions Judge, Special Court for Exclusive Trial of Cases under POCSO Act, Kanniyakumari at Nagercoil.

2.The Inspector of Police,
All Women Police Station,
Marthandam, Kanniyakumari District. (Crime No.30 of 2024)

3.The Superintendent, District Central Prison, Nagercoil.

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



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P. DHANABAL, J.

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ORDER
IN
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