



CrI.O.P.(MD)No.9588 of 2026

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 05.06.2026

PRESENT

THE HONOURABLE MR. JUSTICE P. DHANABAL

CRL OP(MD). No. 9588 of 2026

Mohammed Azad Ansari

...Petitioner

Vs

State of Tamil Nadu rep. by
The Inspector of Police,
AWPS Karaikudi Police Station,
Sivagangai District.
(Crime No.2 of 2025)

...Respondent/Complainant

For Petitioner : Mr.S.Mukesh
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. 2 of 2025 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 23.01.2025, for the offences punishable under Sections 5(1), 5(n), 5(j)(ii) r/w 6 of the POCSO Act and Section 351(2) of BNS, in Crime No.2 of



CrI.O.P.(MD)No.9588 of 2026

2025 on the file of the respondent police, seeks bail.

WEB COPY

2. The case of the prosecution is that the victim girl used to go to her grandfather's home to watch television. While pertaining so, the petitioner entered into the grandfather's house and committed penetrative sexual assault against her. 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, final report was filed and trial commenced and the witnesses were also examined. 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 has trespassed into the victim's grandfather's house and committed penetrative sexual assault, when there was no one in the house. Investigation has also been completed and the final report was filed before the concerned Court. The petitioner has no previous case. Now the victim was examined before the trial Court. Hence, he vehemently opposed the grant of bail to the petitioner.



Crl.O.P.(MD)No.9588 of 2026

WEB COPY

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, the investigation has been completed, final report has been filed before the concerned Court and trial commenced and the victim girl was examined 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, Principal Special Court for Exclusive Trial of Cases under the POCSO Act, Sivagangai, and on further conditions that:

[b] the petitioner shall report before the learned Sessions Judge, Principal Special Court for Exclusive Trial of Cases under the POCSO Act, Sivagangai, at 10.30 a.m., on all working days until further orders:



Crl.O.P.(MD)No.9588 of 2026

WEB COPY

[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.

(P D B J)
05.06.2026

TM



Crl.O.P.(MD)No.9588 of 2026

WEB COPY To

- 1.The Sessions Judge, Principal Special Court for Exclusive Trial of Cases under the POCSO Act, Sivagangai.
- 2.The Inspector of Police,
AWPS Karaikudi Police Station,
Sivagangai District. (Crime No.2 of 2025)
- 3.The Superintendent, Central Jail, Sivagangai.
- 4.The Additional Public Prosecutor,
Madurai Bench of Madras High Court, Madurai.



WEB COPY



Crl.O.P.(MD)No.9588 of 2026

P. DHANABAL, J.

TM

ORDER
IN
CRL OP(MD) No. 9588 of 2025

Date : 05.06.2026