



CRL OP(MD). No.9521 of 2026

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 20.05.2026

PRESENT

THE HONOURABLE MR. JUSTICE R.VIJAYAKUMAR

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Sahul Hameed
S/o. Abubacker

...Petitioner/Accused No.2

Vs

State Of Tamilnadu Rep By
Inspector Of Police,
AWPS-Sattankulam
Thoothukkudi District.
Crime No.5 of 2026

...Respondent/Complainant

For Petitioner : Mr.R.Ponkarthikeyan
Advocate.

For Respondent : Mr.R.Meenakshi Sundaram
Additional Public Prosecutor

PETITION FOR BAIL Under Sec.483 of BNSS

PRAYER :-

For Bail in Cr.No.5 of 2026 on the file of the respondent police.



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ORDER : The Court made the following order :-

The petitioner / Accused No.2, who was arrested and remanded to judicial custody on 28.03.2026 for the offences punishable under Sections 74, 77, 85, 308(2), 296(b), 115(2), 351(3) r/w.3(5) of BNS Act, 2023 and Sections 13, 14(1), 15 of the POCSO Act and Section 67(A) of Information Technology Act, 2000 in Crime No.05 of 2026 on the file of the respondent police, seeks bail.

2. The case of the prosecution is that the defacto complainant and the first accused are husband and wife. The first accused, along with the petitioner herein, recorded a video of the defacto complainant while she was taking a bath, and threatened to upload the same. It is further alleged that they also uploaded certain pornographic images. 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. He



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would further submit that the co-accused already enlarged on bail by this Court on 30.04.2026. He further submits that the petitioner was arrested and remanded to judicial custody on 28.03.2026 and he has been in custody for more than 53 days. Hence, he has prayed for the grant of bail.

4. The learned Additional Public Prosecutor appearing for the respondent would submit that the investigation is pending and 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.

6. Considering the rival submissions made by the learned counsel on either side, nature of offence, 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:



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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 Special Court for Exclusive Trial of Cases under POCSO Act, Thoothukudi, and on further conditions that:

[b] the petitioner shall report before the respondent police daily at 10.30a.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;



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[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.

(R V J)
20.05.2026

gvn

To

1.The District and Sessions Judge,
Special Court for Exclusive Trial of Caes under POCSO Act,
Thoothukudi.

2.The Inspector of Police,
All Women Police Station,
Sathankulam, Thoothukudi District.

3. The Officer-in-Charge,
Sub Jail, Nanguneri.

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

R.VIJAYAKUMAR, J.

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ORDER
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