



CRL OP(MD). No.11748 of 2026

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 22/06/2026

PRESENT

The HONOURABLE MR. JUSTICE P. DHANABAL

CRL OP(MD). No.11748 of 2026

Nagaraj

... Petitioner/Accused

Vs

The State of Tamilnadu Rep.,
By the Inspector of Police,
All Women Police Station,
Andipatti, Theni District.
Crime No.5/2026..

... Respondent/Complainant

For Petitioner : Mr.N.Pragalathan

For Respondent : Mr.N.Balasubramanian,
Counsel for State of TN (Crl.Side)

PETITION FOR BAIL Under Sec.483 of BNSS

PRAYER :-

For Bail in Crime No.5 of 2026 on the file of the respondent Police.

1/6



CRL OP(MD), No.11748 of 2026

ORDER : The Court made the following order :-

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The petitioner, who was arrested and remanded to judicial custody on 25.02.2026 for the offences punishable under Sections 127(2) and 115(2) of the BNS, 2023 and Sections 3 and 4 of the Protection of Children from Sexual Offences Act, 2012, in Crime No.5 of 2026 on the file of the respondent police, seeks bail.

2. The case of the prosecution is that the victim girl, aged about 15 years, was, on 22.01.2025, on her way to school when the petitioner expressed his love to her. However, the victim reprimanded him. Thereafter, on 08.01.2026, when the victim was near the house of one Guruvammal, the petitioner allegedly attacked her and committed penetrative sexual assault. 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 would further submit that he has been arrested and remanded to judicial custody on 25.02.2026. Therefore, prayed to grant



CRL OP(MD). No.11748 of 2026

bail for the petitioner.

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4. The learned Counsel for State of TN (Crl.Side) appearing for the respondent would submit that based on the complaint lodged by the defacto complainant, the case has been registered. He would further submit that though the investigation has been completed and charge sheet filed, considering the grave nature of offence, 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 fact that the statement of victim under Section 183 of BNSS was recorded and considering the period of incarceration undergone by the petitioner as well as the stage of completion of investigation, this Court is inclined to grant bail to the petitioner subject to the following conditions:



CRL OP(MD). No.11748 of 2026

WEB COPY

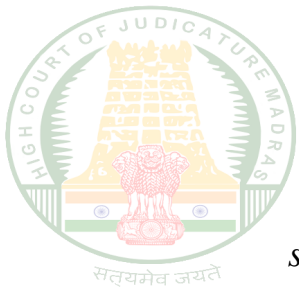
*[a] Accordingly, this Criminal Original Petition is allowed and the petitioner is ordered to be released on bail on condition to execute a bond for a sum of Rs.10,000/- (Rupees Ten Thousand only) with two sureties each for a like sum to the satisfaction of the **learned Sessions Judge, Principal Special Court for Exclusive Trial of Cases under POCSO Act, Theni** and on further conditions that:*

*[b] the petitioner shall report before the learned **Sessions Judge, Principal Special Court for Exclusive Trial of Cases under POCSO Act, Theni** daily 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 him from disclosing



CRL OP(MD). No.11748 of 2026

WEB COPY

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)
22.06.2026

PNM

TO

1. The Sessions Judge,
Principal Special Court for Exclusive Trial of
Cases under POCSO Act, Theni
2. The Superintendent, District Jail, Theni, Theni District.
3. The Inspector of Police, All Women Police Station,
Andipatti, Theni District.
4. The Additional Public Prosecutor,
Madurai Bench of Madras High Court, Madurai.

5/6



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CRL OP(MD). No.11748 of 2026

P. DHANABAL,J

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ORDER
IN
CRL OP(MD) No.11748 of 2026

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