



CRL OP(MD) . No.10789 of 2026

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 25/06/2026

PRESENT

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

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Ismail,
S/o. Mohammad,
Asanathpuram,
North Savariyarpalayam,
Pallappatty,
Dindigul District..

... Petitioner/Sole Accused

Vs

State of Tamilnadu Rep by,
The Inspector of Police,
All Women Police Station,
Dindigul Rural,
Cr. No. 4 of 2026..

... Respondent/Complainant

For Petitioner : Mr.G.Sethu Surendhar,
Advocate.

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

PETITION FOR BAIL Under Sec.483 of BNSS



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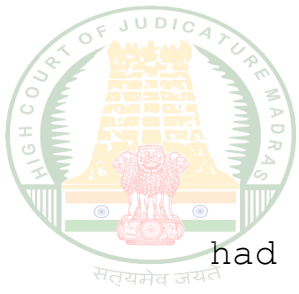
PRAYER :-

WEB COPY C-58B. To enlarge the petitioner on bail in connection with Special S.C.No. 62 of 2026 in Crime No. 4 of 2026 on the file of the Learned Special Court for Exclusive Trial of cases under the POCSO Act, Dindigul and thus render justice.

ORDER : The Court made the following order :-

The petitioner/Sole Accused, who was arrested and remanded to judicial custody on 14.02.2026 for the offences punishable under Sections 87 and 351(3) of BNS, 2023, and Under Sections 5(1), 5(j)(ii) r/w Section 6 of the Protection of Children from Sexual Offences Act, 2021, in Crime No.4 of 2026 on the file of the respondent police, seeks bail.

2.The case of the prosecution is that on the date of occurrence, the petitioner had allegedly committed aggravated penetrative sexual assault upon the victim child, aged about 14 years and subsequently, she became pregnant. The petitioner



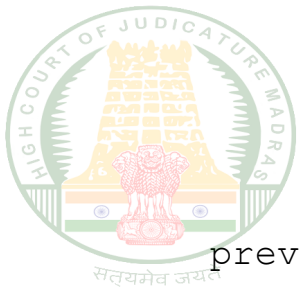
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had criminally intimidated the victim girl.

Hence, the complaint.

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. The petitioner has been arrested and remanded to judicial custody on 14.02.2026. Hence, he prays to grant bail to the petitioner.

4.The learned Government Advocate (Crl. Side) appearing for the respondent Police would submit that the investigation has been completed and the final report is filed and the same was taken on file in S.C.No.62 of 2026 and now the case is pending for trial and the statement of the victim was recorded under Section 183 of BNSS, 2023. He would further submit that the petitioner has 19



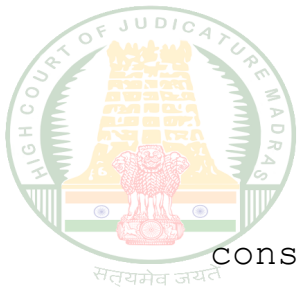
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previous cases. Hence, he opposed to grant bail to the petitioner.

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5. This Court heard both sides and perused the materials available on record, including the statement of the victim recorded under Section 183 of BNSS, 2023.

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 investigation has been completed and the final report is filed and the same was taken on file in S.C.No.62 of 2026 and now the case is pending for trial and the statement of the victim was recorded under Section 183 of BNSS, 2023, and though the petitioner has 19 previous cases, the same are not similar kind of offences and in all cases, bail was granted to the petitioner and also



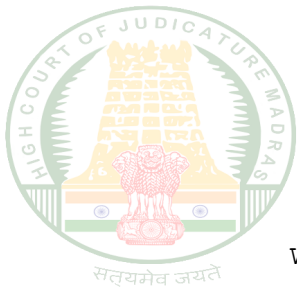
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considering the period of incarceration undergone by the petitioner from 14.02.2026, this Court is inclined to grant bail to the petitioner subject to the following conditions:

[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 Special Court for Exclusive Trial of cases under the POCSO Act, Dindigul, and on further conditions that:

[b] the petitioner shall report before the Learned Special Court for Exclusive Trial of cases under the POCSO Act, Dindigul, 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



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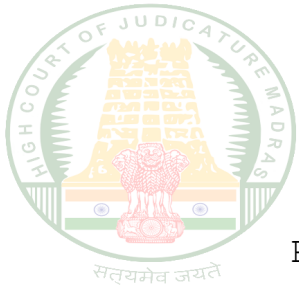
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which she is accused, or suspected, or of the commission of which she is suspected;

[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



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P.K.Shaji vs. State of Kerala [(2005)AIR

WEB COPY SCW 5560].

[g] If the accused thereafter absconds, a fresh FIR can be registered under Section 269 BNS.

(P D B J)
25.06.2026

VSG

TO

- 1.The Learned Special Court for Exclusive Trial of cases under the POCSO Act, Dindigul.
2. The Superintendent, District Jail, Dindigul.
- 3.The Inspector of Police,
All Women Police Station,
Dindigul Rural.
3. The Additional Public Prosecutor,
Madurai Bench of Madras High Court, Madurai.



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P. DHANABAL, J. ,

vsg

ORDER
IN
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