



CRL OP(MD). No.12044 of 2026

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

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Dated : 25.06.2026

CORAM

THE HONOURABLE MR. JUSTICE P. DHANABAL

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Kesavan

... Petitioner

Vs.

State of Tamilnadu Rep by
The Inspector of Police,
AWPS Nilakottai Police Station,
Dindigul District.
(Crime No.16 of 2025)

... Respondent

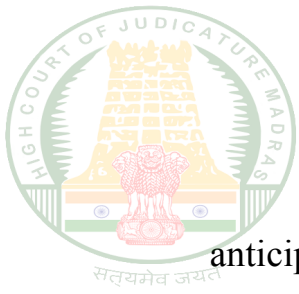
PRAYER :- For Anticipatory Bail in Crime No.16/2026 on the file of the respondent Police.

For Petitioner : Mr.A.Sivasubramanian

For Respondent : Mr.N.Balasubramanian
Counsel for State of Tamilnadu (Criminal Side)

ORDER

The petitioner/Accused, who apprehends arrest at the hands of the respondent police for the offences punishable under Sections 5(n), 5(l), 5(j)(ii) and 6 of Protection of Child from Sexual Offences Act, 2012 in Crime No.16 of 2026 on the file of the respondent police, seeks



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anticipatory bail.

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2.The case of the prosecution is that the petitioner is alleged to have committed repeated sexual assault on his minor sister-in-law (younger sister of his wife), resulting in her pregnancy. Hence, the complaint.

3.The learned counsel for the petitioner submitted that the petitioner is innocent and has been falsely implicated in the case. It was further submitted that the petitioner and the victim are willing to amicably resolve the dispute and that the petitioner is prepared to comply with any condition imposed by this Court. Hence, he seeks anticipatory bail.

4. The learned Government Advocate (Crl. Side) submitted that the petitioner has no previous criminal antecedents and that the investigation is still pending. The offence is grave in nature. Hence, he vehemently opposed the grant of anticipatory bail to the petitioner.



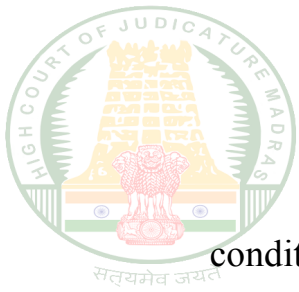
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5. Heard both sides and perused the materials available on record.

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6. Considering the rival submissions made on either side, the nature of the offences alleged against the petitioner, the fact that the investigation has been completed and the final report has been filed, and also taking into account the affidavit filed by the victim, which has been produced before this Court by the learned counsel for the petitioner, as well as the fact that the petitioner has no previous criminal antecedents, I am inclined to grant anticipatory bail to the petitioner, subject to the following conditions:

(a) Accordingly, the petitioner is ordered to be released on bail in the event of arrest or on his/her appearance, within a period of fifteen days from the date on which the order copy made ready, before the Special Court for Exclusive Trial of Cases under POCSO Act, Dindigul, on condition that the petitioner shall 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, Dindigul**, concerned and on further



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conditions that:

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(b)the petitioner shall report before the **Special Court for Exclusive Trial of Cases under POCSO Act, Dindigul, daily at 10.30 am., until further orders.**

(c)the petitioner shall not commit any offences of similar nature.

(d)the petitioner shall not abscond either during investigation or trial.

(e)the petitioner shall not tamper with evidence or witness either during investigation or trial.

(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 of BNS.

25.06.2026

sbm



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- To
- 1.The Special Court for Exclusive Trial of Cases under POCSO Act,
Dindigul,
 - 2.The Inspector of Police,
AWPS Nilakottai Police Station,
Dindigul District.
 - 3.The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.



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P.DHANABAL,J

sbn

ORDER
IN
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