



Crl.O.P.(MD)No.12850 of 2026

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 30.06.2026

PRESENT

THE HONOURABLE MR. JUSTICE K. RAJASEKAR

CRL OP(MD). No. 12850 of 2026

A.Mohamed Sharif Irfan

...Petitioner

Vs

State of Tamil Nadu rep. by
The Inspector of Police,
AWPS - Madurai Town Police Station,
Madurai District.
(Crime No.7 of 2026)

...Respondent/Complainant

For Petitioner : Mr.M.Raghumankhan
Advocate

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

PETITION FOR BAIL Under Sec.483 of BNSS

PRAYER :-

For Bail in Cr.No. 7 of 2026 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 02.05.2026, for the offences punishable under Section 3(b) r/w. Section 4 of the POCSO Act, in Crime No.7 of 2026 on the file of the



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respondent police, seeks bail.

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2. The case of the prosecution is that the petitioner is the neighbour of the victim girl, who is aged about 5 years. He took the victim to a lonely place and committed aggravating penetrative sexual assault. In the meantime, the neighbour searched the child and traced out her and rescued. 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 the petitioner is aged about 21 years. According to him, the allegation against the petitioner is only to the effect that he inappropriately touched the private parts of the victim girl. He is in custody from 02.05.2026 and ready to abide any condition imposed by this Court. Hence, he prayed bail for the petitioner.

4. The learned Counsel appearing for the State reiterated the prosecution case by relying upon the statement of the victim girl recorded under Section 183(5) of BNS. Investigation in this case is still pending. Hence, he prays to dismiss this application.



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5. This Court heard both sides and perused the materials available on records.

6. Considering the facts and circumstances of the case, that it is not a case of aggravating penetrative sexual assault, the petitioner has no previous case, though investigation in this case is still pending and considering the period of incarceration, I am inclined to grant bail to the petitioner subject to certain conditions.

[a] Accordingly, the petitioner is ordered to be released on bail on condition to execute a bond for a sum of Rs.20,000/- (Rupees Twenty Thousand only) with two sureties each for a like sum to the satisfaction of the learned **Sessions Judge, Special Court for Exclusive Trial under POCSO Act Cases, Madurai**, and on further conditions that:

[b] the petitioner shall stay at Salem and appear before the learned Judicial Magistrate No.I, Salem, at 10.30 a.m., on all working days, 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



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commission of which he/she is suspected;

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[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 51730].

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

(K R S J)
30.06.2026

TM

To

1.The Sessions Judge, Special Court for Exclusive Trial under POCSO Act Cases, Madurai.

2.The Judicial Magistrate No.I, Salem.

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3. The Inspector of Police,
AWPS - Madurai Town Police Station,
Madurai District. (Crime No.7 of 2026)

4. The Superintendent, Central Prison, Madurai.

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



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K. RAJASEKAR, J.

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ORDER
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