



CRL OP(MD) NO. 21937 of 2025

WEB COPY

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 21-01-2026

CORAM

THE HONOURABLE MRS JUSTICE S.SRIMATHY

CRL OP(MD) NO. 21937 of 2025

Uthayakumar

Petitioner(s)

Vs

State Of Tamilnadu,
Rep By the Inspector Of Police,
Thevaram Police Station
Theni District.
(In Crime No.212/2025)

Respondent(s)

For Petitioner(s): Mr.A.Arputharaj

For Respondent(s): Mr.A.S.Abul Kalaam Azad, Government Advocate (Crl.side)

Prayer:

C-58 B. For Bail in Crime No. 212/2025 on the file of the respondent police.

ORDER

The petitioner, who was arrested and remanded to judicial custody on 20.09.2025 for the offences punishable under Sections 9(m) and 10 of POCSO Act, 2012 @ Sections 7 and 8 of POCSO Act and Section 127(2) of BNS in Crime No. 212 of 2025, on the file of the respondent police, seeks bail.



2. The case of the prosecution is that on 18.09.2025 at 06.30 PM, when the victim child was proceeding to her grandmother's home, the petitioner stalked her and suddenly cuddled her in the public place. Hence, this case.

3. The learned counsel for the petitioner submits that the petitioner is an innocent person and he has not committed any offence as alleged by the prosecution.

4. The learned Government Advocate (Crl.side) appearing for the respondent police opposed for grant of bail on the ground that the investigation is still pending.

5. The petitioner was directed to take rehabilitation treatment. However, the petitioner has approached the Government Hospital and the Government Hospital has certified the petitioner as normal. The same is recorded. Therefore, petitioner has complied with the conditions.

6. Taking into consideration of the facts and circumstances of the case and since the petitioner has complied with the conditions imposed in the interim bail regularly, the interim bail already granted is made absolute and this Court is inclined to grant bail to the petitioner with certain conditions.

7. Accordingly, the petitioner is ordered to be released on bail, on conditions that,

a) the petitioner shall report before the respondent police daily at 10.30 a.m., for two weeks and thereafter, as and when required for interrogation, until further orders;



WEB COPY

b)the petitioner shall not tamper with evidence or witness;

c)the petitioner shall not abscond during trial;

d)On breach of any of the aforesaid conditions, the learned 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].

e) If the accused thereafter absconds, a fresh FIR can be registered under Section 269 of BNS.

8.The sureties already produced by the petitioner shall hold good.

21-01-2026

Tmg

To

1.Inspector Of Police,
Thevaram Police Station
Theni District.

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



Madurai.

3.District Prison,
Theni.

4.Principal Special Court for Exclusive Trial of Cases under
POCSO Act Court,
Theni.