

(2026) 06 MAD CK 0366

In the Madras High Court

Case No : Criminal Original Petition No. 13858 Of 2026

Aadhish

APPELLANT

Vs

State

RESPONDENT

Date of Decision : 08-06-2026

Acts Referred:

Protection Of Children From Sexual Offences Act, 2012 — Section 7, 8
Bharatiya Nyaya Sanhita, 2023 — Section 269

Citation : (2026) 06 MAD CK 0366

Hon'ble Judges : C.Kumarappan, J

Bench : Single Bench

Advocate : G.Somasekar, S.Yogaraja Sekar

Judgement

C.Kumarappan, J

1. The petitioner, who was arrested and remanded to judicial custody on 31.03.2026 for the alleged offence under Sections 7 & 8 of Protection of Children from Sexual Offences Act, 2012 and 118(1), 296(b), 351(2) of B.N.S. Act, 2023 in Crime No.144 of 2026 on the file of the respondent police, seeks bail.

2. The case of the prosecution is that the petitioner has committed sexual assault against the minor daughter of the de facto complainant and also assaulted the de facto complainant. Hence, the case.

3. The learned counsel appearing for the petitioner submitted that the petitioner has been falsely implicated in the present case and that he has not committed any offence as alleged by the prosecution. He further submitted that the petitioner is ready to abide by any stringent conditions that may be imposed by this Court. Hence, he prays for grant of bail to the Petitioner.

4. Per contra, the learned Government Advocate (Criminal Side) appearing for the Respondent Police reiterated the prosecution case and submitted that the occurrence took place on 31.03.2026 and the petitioner has been incarcerated since 31.03.2026. Hence, he opposed the grant of bail to the Petitioner.

5. I have given my anxious consideration to either side submissions and perused the materials available on record.

6. Considering the facts and circumstances of the case; taking note of the submission made by the learned Government Advocate (Crl.Side) and from the perusal of the 183 statement recorded under BNSS, though certain allegations are made against the petitioner, considering the long incarceration of the petitioner since 31.03.2026, this Court is inclined to grant bail to the petitioner, subject to certain conditions.

7. Accordingly, the petitioner is ordered to be released on bail on his executing a bond for a sum of Rs.25,000/- (Rupees Twenty Five Thousand only) with two sureties each, for a like sum to the satisfaction of the learned Judicial Magistrate Court-II, Walajapet, Ranipet District, and on further conditions that:

[a] the sureties shall affix their photographs and Left Thumb Impression in the Application for Surety ship [Judicial Form No.46 annexed to 'The Criminal Rules of Practice, 2019']. The learned Magistrate shall obtain a copy of any one of the identity proofs to ensure their identity;

[b] the petitioner shall stay at Nagercoil and report before the Inspector of Police, Kottar Police Station, Nagercoil daily at 10.30 a.m until further orders. No relaxation petition shall be entertained within a period of 30 days;

[c] the petitioner shall not abscond either during investigation or trial;

[d] the petitioner shall not tamper with the evidence or witness either during investigation or trial;

[e] On breach of any of the aforementioned conditions, the learned Magistrate/Trial Court is entitled to pass appropriate orders against the petitioner in accordance with law as if the aforementioned 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)13 SCC 283];

[f] If the accused thereafter absconds, a fresh FIR can be registered under Section 269 of B.N.S.