

**IN THE COURT OF DISTRICT AND SESSIONS JUDGE,  
MAYILADUTHURAI.**

Present: Tmt. R. Sathia Thara, M.A., M.L.,  
District and Sessions Judge, Mayiladuthurai.  
State of Tamil Nadu.

Tuesday, this the 18<sup>th</sup> day of August 2026.

2057 Thiruvalluvar Aandu Parapava Varudam on 01<sup>st</sup> day of Aavani Thingal

**Crl.M.P. No. 1198/2026**

Kabilraj @ Thara, S/o. Selvaraj ...Petitioner/1<sup>st</sup> accused person.

**Vs**

The State represented by the Inspector of Police,  
AWPS., Sirkali in Cr. No. 24/2026

...Respondent/Complainant.

This bail petition was coming up on 18.08.2026 before me for hearing in the presence of Thiru. P. Rajaji, the learned counsel for the Petitioner/accused person and Thiru. S. Velayutham, the learned Public Prosecutor, on behalf of State and upon considering the submissions of both side and on perusal of entire available records and having stood over for consideration till this date, this court delivered the following:-

**ORDER**

This petition is filed under Section 483 of Bharathiya Nagarik Suraksha Sanhita (BNSS) - 2023 to grant bail to the petitioner / 1st accused person who was remanded to Judicial Custody on 19.05.2026 for the offences alleged under sections 6 r/w 5(l), 5(j)(ii), 7 r/w 8 of POCSO Act and 9 of Child Marriage Act. The respondent police has registered a case against the petitioner / accused person in Cr. No. 24/2026 of AWPS Sirkali. The complaint was received and FIR was registered on 19.05.2026.

Heard the learned counsel for the petitioner / 1<sup>st</sup> accused person and the learned Public Prosecutor and perused the records.

On perusal of FIR, it is noted that the victim girl aged about 15 years and was studying 9<sup>th</sup> standard. The petitioner and victim girl fell in love with each other. On 05.08.2025 at 11.00 AM, the petitioner by making false promises, had sexual intercourse with the victim girl and due to misunderstanding they were separated and on December 2025, the victim girl again fell in love with A2. On 03.05.2026 at 11.00

AM, A2 tied yellow thread to her and sexually assaulted her. Subsequently, the victim girl was 9 months pregnant. Therefore, FIR was registered against the petitioner/1<sup>st</sup> accused person under sections 6 r/w 5(l), 5(j)(ii), 7 r/w 8 of POCSO Act and 9 of Child Marriage Act.

The Learned counsel for the petitioner would submit that this is the 6<sup>th</sup> bail application. Already the bail petitions dismissed by this court in Crl.M.P. Nos. 682/2026, 828/2026, 904/2026, 959/2026 and 1059/2026. The petitioner is the 1<sup>st</sup> accused in this case and he is judicial custody for past 92 days. The petitioner and the victim girl loved each other and the petitioner forcibly had sexual intercourse with her several times and due to misunderstanding they were separated. In the year 2025, the victim girl had affair with the co-accused and on 03.05.2026, the co-accused tied Thali in her neck. The investigation almost completed. The petitioner have no connection with this case and the petitioner is having permanent residence and he is ready and willing to abide any conditions imposed by this court and willing to furnish substantial sureties and the petitioner will not abscond and no other bail petition is pending in any other court and therefore prays to enlarge him on bail.

The learned Public Prosecutor reiterated the averments in the FIR that the victim girl was studying 9<sup>th</sup> standard in the academic year 2023-2024. The petitioner and victim girl fell in love with each other. On 05.08.2025 at 11.00 AM, the petitioner by making false promises, had sexual intercourse with the victim girl and due to misunderstanding they were separated and on December 2025, the victim girl again fell in love with A2. On 03.05.2026 at 11.00 AM, A2 tied yellow thread to her and sexually assaulted her. Subsequently, the victim girl was 9 months pregnant. Investigation is pending and strongly objected to release the petitioner / accused on bail.

On considering the rival submissions of both side and on perusal of available material records it is noted that the petitioner / accused aged about 23 years loved the victim child has committed aggravated penetrative sexual assault upon the victim child, repeatedly and victim became pregnant as had contact with 2<sup>nd</sup> accused person. The petitioner/1<sup>st</sup> accused was remanded on 19.05.2026 and the victim's age is 15

years and victim's statement was recorded under section 183 BNSS Act and investigation is completed. The petitioner is in judicial custody for past 92 days. The victim's statement was recorded under section 183(5) BNSS. Taking note of the facts and circumstances of the case and the length of his incarceration, the this Court inclined to grant bail.

In the result, this petition is allowed. Consequently, the petitioner is ordered to be enlarged on bail on his executing a bail bond as defined in section 2(d) BNSS 2023 along with similar bail bonds from two persons, each for a sum of Rs.10,000/- to the satisfaction of this court for undertaking of his appearance for further proceedings, and with other conditions that,

(i) the sureties shall affix their photographs and Left Thumb Impression in the surety bond and the petitioner and the sureties shall produce a copy of their Aadhar Card or Bank Passbook to ensure the identity.

**(ii) the petitioner shall report before the respondent Police station daily at 10.00 AM for a period of 30 days.**

(iii) that the petitioner/accused person should make himself available for interrogation as and when required by the respondent;

(iv) that the petitioner/accused person shall not to interfere with investigation and shall not tamper any of witnesses and shall not cause any threat to the defacto-complainant

(v) that the petitioner/accused person shall not commit similar offences;

(vi) that the petitioner/accused person shall furnish to this Court along with sureties by way of affidavit and the sureties Permanent Residential Address and anyone Mobile Number or Whatsapp Number or E-mail address if any for receiving official communication from the Court or from the investigating Officer and shall keep up the Phone Number/Whatsapp Number in active stage from 8.00 A.M., to 8.00 P.M., and shall co-operate for the investigation;

(vii) If any of the condition is violated/not complied with, it shall be reported before this court to cancel the bail.

Pronounced by me in the Open Court on the 18<sup>th</sup> day of August 2026.

District and Sessions Judge,  
Mayiladuthurai.

**Copy to**

1. The Inspector of Police, A.W.P.S. Sirkali,
2. The Petitioner through his counsel.

Crl.M.P. No. 1198/2026  
Bail Application  
Dated : 18.08.2026