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CRL OP No. 17103 of 2



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 10-07-2026

CORAM

THE HON'BLE MR.JUSTICE C.KUMARAPPAN

CRL OP No. 17103 of 2026

A M Mohan
S/o. G. Meenakshisundaram,
Flat No. B-901, Prince Court Yard,
Varadharajalb Street, No. 100-103,
PH Road, Egmore, Chennai 600084

..Petitioner(s)

Vs

The State Rep by The Inspector of Police
All Women Police Station,
Ponneri, Tiruvallur District.
Crime No. 14 of 2026

..Respondent(s)

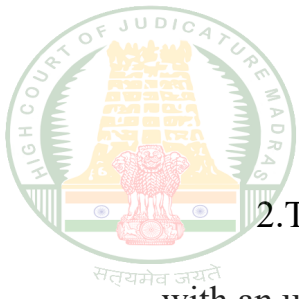
PRAYER : Criminal Original Petition filed under Section 482 of the Bharatiya Nagarik Suraksha Sanhita, Act, 2023, to enlarge the petitioner on bail, in the event of his arrest concerned with FIR in Crime No.14 of 2026 pending on the file of the Respondent police.

For Petitioner(s): Mr. Sathiaselvan Sivanandam

For Respondent(s): MR.N.PALANIVEL, GOVT.ADVOCATE
(CRL.SIDE)

ORDER

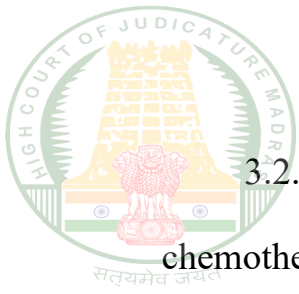
The petitioner apprehends arrest for the alleged offence under Section 7 and 8 of the Protection of Children from Sexual Offences Act, 2012, in Crime No.14 of 2026 on the file of the respondent police seeks anticipatory bail.



2.The complainant is registered against the petitioner alleging that that with an ulterior motive to settle personal scores between himself and the defacto complainant, the petitioner had misbehaved with the defcato complainant's daughter. It is further contended that the alleged victim girl has been used as a tool to implicate the petitioner through the present FIR.

3.The learned counsel for the petitioner submits that the petitioner is innocent and he has not committed any offence as alleged by the defacto complainant and he has been falsely implicated in this case. The learned counsel for the petitioner would submit that the defacto complainant is the mother of the victim girl. According to the prosecution, the defacto complainant and the petitioner were in a relationship and there was a dispute between them. It is submitted that a civil suit has already been filed by the petitioner seeking a declaration that the defacto complainant is not his wife.

3.1. The learned counsel for the petitioner would further submit that, even prior to the institution of the present complaint, the defacto complainant had already given a complaint against the petitioner claiming money and immovable property by projecting herself as the wife of the petitioner. It is submitted that the present complaint has been given only in the background of the said dispute.

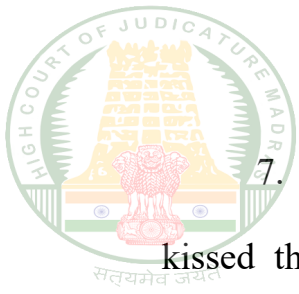


3.2. It is further submitted that the petitioner is undergoing the 7th cycle of chemotherapy and is suffering from an advanced stage of cancer. The petitioner is presently admitted in the hospital and his medical condition is serious. He further submitted that he is ready to abide by any conditions that may be imposed by this Court and ready to co-operate with the investigation. Hence, he prayed to grant anticipatory bail to the petitioner.

4. Per contra, the learned Government Advocate (Crl. Side) strongly opposed the application stating that the offence alleged is one under the POCSO Act. However, he fairly submitted that the statement of the victim girl under Section 183 of BNSS, 2023 was recorded on 07.07.2026 before the learned Judicial Magistrate-I, Ponneri.

5. I have given anxious consideration on either side submissions.

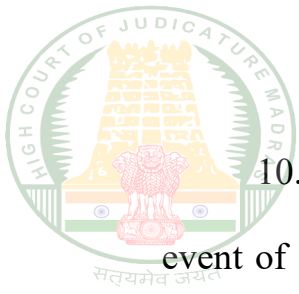
6. This Court has perused the statement of the victim girl recorded under Section 183 of BNSS. From the said statement, it is seen that the victim girl has also spoken about the relationship between the petitioner and the defacto complainant. It is stated that the alleged occurrence took place on 29.04.2026 and the same was informed to the defacto complainant only during the month of June 2026, after which the present complaint came to be registered.



7. The specific allegation against the petitioner is that he had allegedly kissed the victim girl. Though such an allegation has been made, it is an admitted fact that a civil dispute is pending between the petitioner and the defacto complainant with regard to the status of their relationship. Further, as per the statement of the victim girl, the alleged occurrence took place in April 2026, whereas the present complaint came to be lodged subsequently.

8. This Court has also taken note of the medical records produced by the learned counsel for the petitioner, which show that the petitioner was admitted in the hospital on 09.07.2026 and is suffering from an advanced stage of cancer. As per the medical opinion produced before this Court, his condition is stated to be serious.

9. Considering the totality of the circumstances, though the allegation against the petitioner is a serious one, taking note of the medical condition of the petitioner and the existing dispute between the petitioner and the defacto complainant regarding their relationship/status, this Court is of the considered view that custodial interrogation of the petitioner is not required at this stage. Accordingly, this Court is inclined to enlarge the petitioner on anticipatory bail subject to certain conditions.



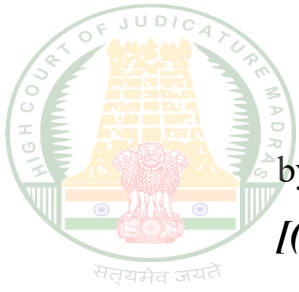
10. Accordingly, the petitioner is ordered to be released on bail in the event of arrest or on her appearance, within a period of fifteen (15) days from the date on which the order copy is made ready, before the **learned Special Court for Exclusive Trial of Cases under POCSO Act, Tiruvallur District**, on condition that **the petitioner shall 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 Magistrate concerned, and on further conditions:

(a) If the petitioner fails to surrender before the concerned learned Magistrate within a period of fifteen (15) days from the date of receipt of a copy of this order, this order shall stand automatically cancelled;

(b) 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 identify proofs to ensure their identity;

(c) The petitioner shall report before the respondent Police, as and when required for interrogation;

(d) On breach of any of the aforesaid conditions, the learned Magistrate/Trial Court is entitled to take appropriate actions against the petitioner in accordance with law as if the conditions have been imposed and the petitioner released on anticipatory bail by the learned Magistrate/Trial Court himself as laid down



by the Hon'ble Supreme Court in *P.K.Shaji v. State of Kerala*
[(2005) AIR SCW 5560];

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

10-07-2026

jrs

To

1.The Special Court for Exclusive Trial of Cases
under POCSO Act, Tiruvallur District.

2.The Inspector of Police
All Women Police Station,
Ponneri, Tiruvallur District.
Crime No. 14 of 2026

3.The Public Prosecutor, High Court of Madras.



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C.KUMARAPPAN, J.

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