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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 28-07-2026

CORAM

THE HON'BLE MR.JUSTICE C.KUMARAPPAN

**CRL OP Nos. 18322, 18323 and 19282 of 2026
and Crl.MP.Nos.13078 & 13090 of 2026**

Muthuraj

.. Petitioner in
Crl.OP.No.18322 of 2026

Dhanya

.. Petitioner in
Crl.OP.No.18323 of 2026

Vinoth

.. Petitioner in
Crl.OP.No.19282 of 2026

Vs

State Rep by Inspector of Police
All Women Police Station, Erode.
Crime No. 30 of 2026

..Respondent in all
Crl.OPs.

COMMON PRAYER: Criminal Miscellaneous Petitions filed under Section 482 of the Bharatiya Nagarik Suraksha Sanhita, 2023, to enlarge the Petitioners on Anticipatory Bail in the event of the arrest in connection with the Crime No. 30 of 2026, on the file of the Respondent Police.

For Petitioner(s): Mr.Nalliyappan R
(in Crl.OPs.18322 & 18323 of 2026)

Mr.K.Govi Ganesan
(in Crl.OP.No.19282 of 2026)

For Respondent(s): MS.R.S.INDIRA,
GOVT.ADVOCATE (CRL.SIDE)
(in all Crl.OPs.)

For Intervener: Mr.J.Ranjithkumar
(in Crl.OPs.18322 & 18323 of 2026)

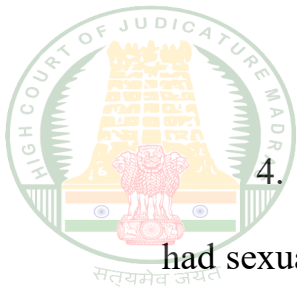


COMMON ORDER

WEB COPY The petitioners apprehend arrest for the alleged offences under Sections 296(B), 118(1), 115(2) of BNS, 2023 in Crime No.30 of 2026 on the file of the respondent police seek anticipatory bail.

2. The case of the prosecution is that the 1st accused committed sexual harassment on a minor boy, aged about 11 years, who is the son of the second accused. Hence, the complaint.

3. The learned counsel for the petitioners submitted that there are about three accused in this case. The first accused is a basket ball coach, the second accused is the wife of the defacto complainant as well as the son of the victim and the third accused is a villager. He further submitted that the defacto complainant was having an extramarital relationship with one Selva Priya, in this connection, there was a matrimonial discord between the 2nd accused and her husband. Taking advantage of the said matrimonial discord, the de facto complainant instigated his son to lodge a false complaint against the first accused. According to the prosecution, the alleged occurrence took place between September and October 2025, whereas the complaint was came to be lodged only in July 2026, after a delay of nearly one month. Hence, he prays to grant anticipatory bail to the petitioners.



4. The learned counsel for the intervener submitted that the 1st accused had sexually harassed the minor victim, aged about 12 years and thereby he had been affected psychologically. He further submitted that if the petitioners are enlarged on bail, it would create fear in the mind of the victim. Hence, he prayed for the dismissal of the anticipatory bail petition.

5. The learned Government Advocate (Crl.Side) appearing for the respondent police reiterated the prosecution case and, upon instructions, submitted that the petitioners have no criminal antecedents. However, she opposed to grant anticipatory bail to the petitioners.

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

7. While looking into the facts and positions, it is seen that the alleged occurrence is stated to have taken place between September and October 2025. Admittedly, there was matrimonial discord between the 2nd accused and the defacto complainant. On perusing of the statement of the victim recorded under Section 183 of BNS, this Court could able to visualise the matrimonial discord of the 2nd accused and the defacto complainant. However, in the said statement, the victim has made certain allegations of sexual harassment against the first accused. Considering the fact that the petitioners have no criminal antecedents,

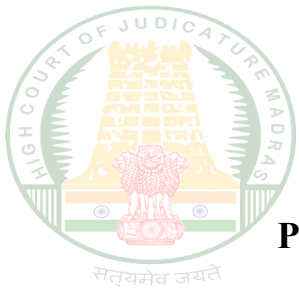


the delay in lodging the complaint, and the defence projected by the petitioners regarding the possibility of false implication, and also considering the fact that the petitioners have strong roots in the society, this Court is of the firm view that at this length of time, the custodial interrogation of the petitioners is not required. Hence, this Court is inclined to enlarge the petitioners on anticipatory bail with certain conditions.

8. Accordingly, the petitioners are ordered to be released on bail in the event of arrest or on their appearance, within a period of fifteen (15) days from the date on which the order copy is made ready, before the **learned Additional Mahila Court, Erode** on condition that **the petitioners shall execute a separate 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 petitioners 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;



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(c) The petitioners shall report before the respondent Police, daily at 10.30 a.m., until further orders;

(d) On breach of any of the aforesaid conditions, the learned Magistrate/Trial Court is entitled to take appropriate actions against the petitioners in accordance with law as if the conditions have been imposed and the petitioners 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]*;

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

9. In the result, these Criminal Original Petitions are allowed. Consequently, connected Miscellaneous Petitions are closed.

28-07-2026

DRL

To

1.The Additional Mahila Court,
Erode.

2.The Inspector of Police
All Women Police Station,
Erode.

3.The Public Prosecutor,
High Court, Madras.



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C.KUMARAPPAN, J.

DRL

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