



CRL OP(MD) No.2989 of 2024

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT  
( Criminal Jurisdiction )

Tuesday, the Twenty Seventh day of February Two Thousand and Twenty Four

PRESENT

The Hon`ble Mr.Justice M.DHANDAPANI

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CHANDHRU @ CHANDHRAKUMAR ... PETITIONER / ACCUSED No.1

Vs

THE INSPECTOR OF POLICE  
ALL WOMEN POLICE STATION,  
OTTANCHATRAM,  
DINDIGUL DISTRICT.  
CR.NO.36/2023

... RESPONDENT / COMPLAINANT

For Petitioner : M/S.SARVAGAN PRABHU.S Advocate

For Respondent : Mr.B.NAMBISELVAN, Additional Public Prosecutor

PETITION FOR ANTICIPATORY BAIL Under Sec. 438 Cr.P.C.

PRAYER:

FOR ANTICIPATORY BAIL IN CRIME NO.36/2023 ON THE FILE OF THE  
RESPONDENT POLICE.

ORDER : The Court Made the following order :-

The petitioner, who apprehends arrest at the hands of the respondent Police  
for the alleged offence under Sections 7, 8 of POCSO Act, 2012 and Sections 417,  
294(b), 323 of IPC, in Crime No.36 of 2023, seeks anticipatory bail.



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2. The case of the prosecution is that the defacto complainant's daughter and the petitioner are friends through Instagram. On 21.08.2023, the petitioner brought the defacto complainant's daughter to his house and misbehaved with her. When the defacto complainant asked about their relationship, the victim girl consumed poison and tried to commit suicide. Thereafter, she was admitted in the hospital. After that, one Kuppusamy belonging to the same village introduced one Pandi as he is working at CBCID and he has to investigate the victim girl and her mother separately. At that time of investigation, the said Pandi misbehaved with the victim girl. Later, the defacto complainant came to know that the said Pandi is not working at CBCID and in order to extract money, he acted as CBCID Police and subsequently, he threatened the husband of the defacto complainant. Hence, the complaint.

3 The learned counsel appearing for the petitioner would submit that that the petitioner has not committed any offence as alleged by the prosecution and he has been falsely implicated in this case. There is no serious allegation as against the petitioner as per the FIR. Hence, he prays for grant of anticipatory bail.

4. The learned Additional Public Prosecutor appearing for the respondent would submit that the petitioner misbehaved with the victim girl, who is minor and the investigation is pending. He would fairly conceded that there is no physical



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relationship between the petitioner and the victim girl and there is only bad touch.

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Hence, he strongly objected to grant anticipatory bail to the petitioner.

5. Considering the facts and circumstances of the case and on perusal of the statement recorded from the victim girl under Section 164 of Cr.P.C., that the victim girl had love affair with the petitioner and on her own consent, she went along with the petitioner, hence, there is no serious allegation made against the petitioner, this Court is inclined to grant anticipatory bail to the petitioner.

6. Accordingly, the petitioner is granted anticipatory bail and he is ordered to be released on bail in the event of arrest or on his appearance, within a period of fifteen days from the date of receipt of a copy of this order, before the Special Court for POCSO Act, Dindigul, on condition that the petitioner shall execute a bond for a sum of Rs.10,000/- (Rupees Ten Thousand Only), with two sureties, each for a like sum to the satisfaction of the respondent police or the police officer who intends to arrest or to the satisfaction of the learned Magistrate concerned and on further condition that:

(a)if the petitioner failed to surrender before the concerned Magistrate within a period of 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



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surety bond and the Court concerned may obtain a copy of their Aadhar card or Bank pass Book to ensure their identity;

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

(d)the petitioner shall not tamper with evidence or witness either during investigation or trial;

(e)the petitioner shall not abscond either during investigation or trial;

(f)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]*; and;

(g)if the accused thereafter absconds, a fresh FIR can be registered under Section 229-A IPC.

sd/-  
27/02/2024

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/03/2024  
Sub-Assistant Registrar  
( C.S. I / II / III / IV )  
Madurai Bench of Madras High Court,  
Madurai - 625 023.

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TO  
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- 1 THE JUDGE,  
SPECIAL COURT FOR POCSO ACT, DINDIGUL.
- 2 THE INSPECTOR OF POLICE  
ALL WOMEN POLICE STATION, OTTANCHATRAM,  
DINDIGUL DISTRICT.
- 3 THE ADDITIONAL PUBLIC PROSECUTOR,  
MADURAI BENCH OF MADRAS HIGH COURT,  
MADURAI.

+1 CC to M/s.S.SARVAGAN PRABHU, Advocate ( SR-2424[I] dated 27/02/2024 )

ORDER  
IN  
CRL OP(MD) No.2989 of 2024  
Date :27/02/2024

SS/GS/SAR- /11/03/2024/5P/5C

Madurai Bench of Madras High Court is issuing certified copies in this format from 17/07/2023