WEB COPY



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT
( Criminal Jurisdiction )
Date : 12/07/2024
PRESENT

The Hon`ble Mr.Justice A.A.NAKKIRAN

CRL OP(MD). No.9993 of 2024

Dinesh Kumar @ Dinesh, ... Petitioner/Sole Accused

Vs

The Inspector of Police,
All Women Police Station,
Dindigul Rural,
Dindigul.
Crime No.25/2024. ... Respondent/Complainant

For Petitioner : M/s.Sathiyendran.K,
Advocate.
For Respondent : Mr.M.Vaikkam Karunanithi,
Government Advocate (Crl.Side)

PETITION FOR ANTICIPATORY BAIL Under Sec.482 of BNSS,

PRAYER :- For Anticipatory Bail in Crime No.25/2024 on the file of the respondent police
ORDER : The Court made the following order :-

The petitioner/accused, who apprehends arrest at the hands of the respondent police for the offences punishable under Sections 5(1), 5(j)(ii) r/w 6 of the Protection of Child from Sexual Offences Act, 2012, in Cr.No.25 of 2024, seeks anticipatory bail.

2. The case of the prosecution is that the petitioner having physical relationship with the victim girl, who is aged about 17 years and she is carrying 2 months

https://www.mhc.tn.gov.in/judis

WEB COPY



pregnancy. Now, the victim girl got abortion. Hence, the case.

3. The learned counsel for the petitioner would submit that the petitioner is an innocent person and a false case foisted against the petitioner and he has not committed any offence as alleged by the prosecution. He further submits that the petitioner is ready to marry the victim girl. Hence, he seeks anticipatory bail to the petitioner.

4. Heard, the learned Government Advocate (Crl.side) appearing for the respondent police.

5. Considering the facts and circumstances of the case and also considering the submission of the learned counsel for the petitioner, this Court is inclined to grant anticipatory bail to the petitioner with certain conditions.

6. Accordingly, the petitioner is ordered to be released on bail in the event of arrest or his appearance, within a period of fifteen days from the date of receipt of a copy of this order, before the learned Special Court Exclusive Trial of POCSO Act Cases, 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 to the Police Officer, who intends to arrest or to the satisfaction of the learned Magistrate concerned and on further conditions that:

(a)the petitioner and the sureties shall affix their photographs and left thumb

https://www.mhc.tn.gov.in/judis

WEB COPY



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

(b)the petitioner shall report before the respondent police daily at 10.30 a.m., until further orders.

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

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

(e)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;

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

sd/-
12/07/2024

/ TRUE COPY /

/07/2024
Sub-Assistant Registrar
( C.S. I / II / III / IV )
Madurai Bench of Madras High Court,
Madurai - 625 023.

https://www.mhc.tn.gov.in/judis

WEB COPY



TTA
TO

1 THE JUDGE,
SPECIAL COURT EXCLUSIVE TRIAL OF POCSO ACT CASES,
DINDIGUL.

2 THE INSPECTOR OF POLICE,
ALL WOMEN POLICE STATION,
DINDIGUL RURAL,
DINDIGUL.

3 THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT,
MADURAI.

ORDER IN
CRL OP(MD) No.9993 of 2024
Date :12/07/2024

SA/GS/SAR. /31.07.2024/4P/4C
Madurai Bench of Madras High Court is issuing certified copies in this format from 17/07/2023.

https://www.mhc.tn.gov.in/judis