



CRL OP(MD). No.18365 of 2024

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 24/10/2024

PRESENT

The Hon`ble Mr.Justice D.BHARATHA CHAKRAVARTHY

CRL OP(MD). No.18365 of 2024

Anbumani,

... Petitioner/Sole Accused

Vs

State of Tamil Nadu,
The Inspector of Police,
Panthanallur Police Station,
Thanjavur District.
(Crime No.651 of 2023).

... Respondent/Complainant

For Petitioner : Mr.C.Suresh Kannan,
Advocate.

For Respondent : Mr.A.Albert James,
Government Advocate (Crl.Side)

PETITION FOR ANTICIPATORY BAIL Under Sec.482 of BNSS

PRAYER :-

For Anticipatory Bail in Crime No.651 of 2023 on the file of the respondent Police



CRL OP(MD). No.18365 of 2024

ORDER : The Court made the following order :-

The petitioner/Sole Accused, who apprehends arrest at the hands of the respondent police for the offences punishable under Sections 5(I), 5(j)(ii) r/w Section 6 of Protection of Child from Sexual Offences Act, 2012, in Cr.No.651 of 2023, seeks anticipatory bail.

2.The case of the prosecution is that the petitioner had committed penetrative sexual assault upon the victim child, who is aged about 17. Hence, the complaint.

3.Heard both sides.

4.Considering the nature of the allegations in this case that the petitioner had a love affair with the victim child and considering the fact that the victim child has now attained majority and the petitioner has also married her, this Court is inclined to grant anticipatory bail to the petitioner with certain conditions.

5.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



CRL OP(MD). No.18365 of 2024

WEB COPY

of this order, before the Special Court for POCSO, Thanjavur District, 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 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 06.30 a.m, for a period of one week and thereafter, as and when required for interrogation;

(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



CRL OP(MD). No.18365 of 2024

WEB COPY

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/-
24/10/2024

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/11/2024
Sub-Assistant Registrar
(C.S. I / II / III / IV)
Madurai Bench of Madras High Court,
Madurai - 625 023.

DSS

TO

1 THE SPECIAL JUDGE,
FOR POCSO THANJAVUR DISTRICT.

2 THE INSPECTOR OF POLICE,
PANTHANALLUR POLICE STATION,
THANJAVUR DISTRICT.

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

+1 CC to M/s.C.SURESH KANNAN, Advocate (SR-13055[I] dated 24/10/2024)



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CRL OP(MD). No.18365 of 2024

ORDER
IN
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Date :24/10/2024

SS/GSV/SAR- /21/11/2024/ 5P/5C

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