



CRL OP(MD). No.19242 of 2024

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

Date : 18.11.2024

PRESENT

The Hon`ble Mr.Justice N.ANAND VENKATESH

CRL OP(MD). No.19242 of 2024

Rajkumar

... Petitioner / Sole Accused

Vs

The State of Tamil Nadu  
Represented by the Inspector of Police,  
Thogamalai Police Station,  
Karur District.  
(Crime No.354 of 2024)

... Respondent/Complainant

For Petitioner : Ms.M.Prabhu,  
Advocate

For Respondent : Mr.B.Thanga Aravindh,  
Government Advocate (Criminal Side)

PETITION FOR ANTICIPATORY BAIL UNDER SECTION 482 OF BNSS

PRAYER :-

For Anticipatory Bail in Crime No.354/2024 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 offences under Sections 75 and 87 of BNS 2023 and Section 3(a) r/w.



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Sections 4 and 17 of the POCSO Act, 2012 and Section 9 r/w. Section 10 of Child Marriage Act, 2066, in Crime No.354 of 2024 on the file of the respondent police, seeks anticipatory bail.

2. The case of the prosecution is that the accused person had forcibly had physical intercourse with the victim girl and thus committed an offence under the POCSO Act.

3. Heard the learned counsel on either side and perused the material records of the case.

4. This Court carefully went through the statement recorded by the victim girl under Section 164 of the Code of Criminal Procedure. It is seen that there was some relationship between the petitioner and the victim girl and in fact, the victim girl was staying with the petitioner after the so-called marriage.

5. Taking into consideration the facts and circumstances of the case and the manner in which this incident had taken place, this Court is inclined to grant anticipatory bail to the petitioner with certain conditions.



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6. Accordingly, the petitioner is ordered to be released on anticipatory 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 Judicial Magistrate No.I, Kulithalai, Karur 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 the police officer who intends to arrest or to the satisfaction of the said Magistrate, on further condition 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 on every Monday and Friday at 10.30 a.m. for a period of 8 weeks and thereafter, as and when required for interrogation;

[c] the petitioner shall not tamper with evidence or witness either during investigation or trial;



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[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 269 of BNS, 2023.

sd/-  
18/11/2024

/ TRUE COPY /

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

PAL



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TO

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1 THE JUDICIAL MAGISTRATE  
NO.I, KULITHALAI, KARUR DISTRICT.

2 DO-THROUGH  
THE CHIEF JUDICIAL MAGISTRATE, KARUR DISTRICT.

3 THE INSPECTOR OF POLICE,  
THOGAMALAI POLICE STATION,  
KARUR DISTRICT.

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

+1. CC to PRABHU M Advocate SR.No.14277(I) dated 20/11/2024

ORDER  
IN

CRL OP(MD) No.19242 of 2024

Date :18/11/2024

PSP/ VR /SAR /27.11.2024/ 5P/ 6C

Madurai Bench of Madras High Court is issuing certified  
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