



Crl.O.P.No.3191 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

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DATED: 10-02-2025

CORAM

THE HONOURABLE MR JUSTICE SUNDER MOHAN

CRL OP NO. 3191 of 2025

KRISHNARAJ

Petitioner(s)

Vs

The State Rep by its
Inspector of Police
AWPS Ulundurpet Police Station,
Kallakurichi
Cr.No. 2 of 2025

Respondent(s)

PRAYER: Criminal Original Petition has been filed under Section 482 of B.N.S.S. praying to enlarge the petitioner on bail in the event of his arrest in Crime No. 2 of 2025 pending investigation on the file of the respondent police.

For Petitioner : Mr.Hemanathan K.

For Respondent : Mr.S.Balaji,
Govt. Advocate (Crl. Side)



Crl.O.P.No.3191 of 2025

WEB COPY

ORDER

Apprehending arrest in connection with Crime No.2 of 2025 registered for the offences punishable under Sections 126(2), 351(2) of The Bharatiya Nyaya Sanhita (BNS), 2023 and Section 9 of the Prohibition of Child Marriage Act, 2006, and Sec.7 and 8 of Protection of Child from Sexual Offence Act, 2012, the present petition has been filed by the petitioner seeking anticipatory bail.

2. It is the case of the prosecution that the petitioner and the victim, aged about 16 years had a love affair; that on 23.10.2024, the petitioner had requested her to come to his house; that he had hugged and kissed her and tied thali; that thereafter on 24.01.2025, the petitioner had threatened the defacto complainant and her parents with dire consequences. Hence, this case.

3. The learned counsel appearing for the petitioner submitted that the petitioner is an innocent person; that he has been falsely implicated in this case. He would submit that he will abide by any condition that may be imposed by this court; that considering the nature of relationship between them, the



CrI.O.P.No.3191 of 2025

custodial interrogation is not required and sought for anticipatory bail.

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4. The learned Government Advocate (CrI. Side) reiterated the prosecution case and on instructions submitted that the victim had given statement under Sec.183 of B.N.S.S. before the learned Magistrate and also produced that statement. Hence, he prayed to dismiss this petition.

5. Heard the learned counsel for the petitioner and the learned Government Advocate (CrI. Side) for the respondent Police and perused the materials available on record.

6. On perusal of statement given by victim girl, it is seen that the only allegation against him is that he had taken the defacto complainant and tied thali, thereafter, he threatened that he would disclose the conversation between him and her. Considering the aforesaid facts, the nature of allegation; the relationship between the petitioner and defacto complainant, both had a love affair; that since custodial interrogation of the petitioner is not required, this Court is inclined to grant anticipatory bail to the petitioner with certain conditions. Accordingly, he is ordered to be released on bail in the event of



Crl.O.P.No.3191 of 2025

arrest or on his appearance within a period of fifteen days from the date of receipt of a copy of this order, before the learned Special Court for Exclusive Trial of Cases under POCSO Act, Kallakurichi 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:

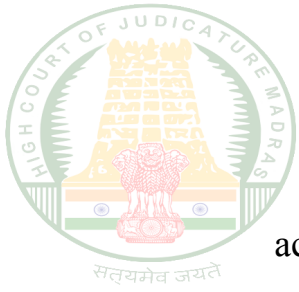
[a] the petitioner and the sureties shall affix their photographs and Left Thumb Impression in the surety bond and the Magistrate may obtain a copy of their Aadhar card or Bank pass Book to ensure their identity.

[b] the petitioner shall report before the respondent police everyday 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



CrI.O.P.No.3191 of 2025

WEB COPY

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].

[f] If the accused thereafter abscond, a fresh FIR can be registered under Section 269 B.N.S.

10.02.2025

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To

1. Special Court for Exclusive trial of cases under POCSO Act,
Kallakurichi.
2. The Inspector Of Police
AWPS Ulundurpet Police Station,
Kallakurichi.
3. The Public Prosecutor,
High Court, Madras.



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CrI.O.P.No.3191 of 2025

SUNDER MOHAN, J.

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CrI.O.P.No. 3191 of 2025

10.02.2025