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Crl.O.P.No.8339 of 2025



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: **01-04-2025**

CORAM

THE HONOURABLE MR JUSTICE SUNDER MOHAN

CRL O.P NO.8339 of 2025

Ajithkumar
S/o. Annadurai

....Petitioner/Sole Accused

Vs

The State represented by
The Inspector of Police,
All Women Police Station - Mangalamedu
Perambalur District.
(Crime No.11/2025)

....Respondent

PRAYER : Criminal Original Petition filed under Section 482 of Bharatiya
Nagarik Suraksha Sanhita, 2023, to enlarge the petitioner on anticipatory
bail in the event of his arrest **in Crime No.11 of 2025**, on the file of the
respondent police.

For Petitioner : Mr. Vijayaragavan Marimuthu

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



ORDER

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The petitioner, who apprehends arrest at the hands of the respondent police for the offences punishable under Sections 11(i) and 12 of the Protection of Children from Sexual Offences Act, 2012, in Crime No.11 of 2025, on the file of the respondent police, seeks anticipatory bail.

2. The case of the prosecution is that, the petitioner is the cousin brother of the victim, who are neighbours; that the petitioner was in the habit of watching television in a loud volume; that when the victim complained to her mother about the petitioner, the victim's mother went and questioned the petitioner; that the petitioner attacked the victim and her mother and also abused them in filthy language and thus committed the aforesaid offence.

3. The learned counsel appearing for the petitioner would submit the allegations do not constitute offence under Section 11(i) of the Protection of Children from Sexual Offences Act, 2012; that it is a dispute between the close relatives and that considering the nature of allegations,



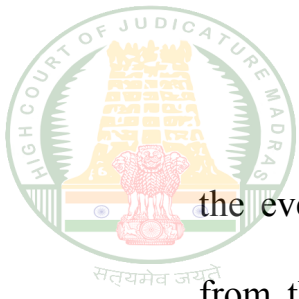
custodial interrogation of the petitioner is not required and prayed for anticipatory bail to the petitioner.

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4. The learned Government Advocate (Crl. Side) appearing for the respondent police reiterated the prosecution case and produced the Section 183 BNSS statement of the victim.

5. Section 183 BNSS statement of the victim reveals that the petitioner and the victim girl are cousins and the dispute was primarily because the petitioner had watched the television in a loud volume and therefore, there was a wordy quarrel and physical altercation. Considering, the aforesaid facts, the nature of allegations against the petitioner and the relationship between them, this Court is of the view that custodial interrogation of the petitioner is not required. However, since the victim and the petitioner are neighbours, it is desirable that the petitioner resides elsewhere for some time. Accordingly, 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



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the event of arrest or on his appearance, within a period of fifteen days from the date on which the order copy made ready, before **the learned Sessions Judge, Mahila Court, Perambalur**, 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, failing which, the petition for anticipatory bail shall stand dismissed and 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 reside at Tiruchi and report before the Inspector of Police, Cantonment Police Station, Tiruchirapalli, 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.



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[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].

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

01.04.2025

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To

1. The Sessions Judge, Mahila Court, Perambalur
2. The Inspector of Police,
All Women Police Station - Mangalamedu
Perambalur District.
- 3 The Inspector of Police,
Cantonment Police Station, Tiruchirapalli.
4. The Public Prosecutor, High Court, Madras.



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SUNDER MOHAN, J.

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