



CRL OP NO. 9087 of 2025

WEB COPY IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 02-04-2025

CORAM

THE HONOURABLE MR JUSTICE SUNDER MOHAN

CRL OP NO. 9087 of 2025

1. Pachiappan
2. Murugan
3. Chinnapappa

Petitioner(s)

Vs

STATE BY Inspector of Police,
Dharmapuri - All Women Police Station,

Dharmapuri District.

Crime No. 15 of 2025

Respondent(s)

For Petitioner(s):

Mr. Thirumoorthy D

For Respondent(s):

Mr.S.Balaji

Government Advocate (Crl.Side)

ORDER

The petitioners, who apprehend arrest at the hands of the respondent police for the offences punishable under Sections 11(4), 11(5) and 12 of Protection of



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Child from Sexual Offences Act, 2012 in Crime No.15 of 2025, on the file of the respondent police, seek anticipatory bail.

2. The case of the prosecution is that the 1st petitioner harassed the victim girl who is aged about 16 years and on the pretext of loving her; that the 1st petitioner had taken intimate pictures with the victim and posted the same in social media; that when the same was questioned by the defacto complainant, the parents of the 1st petitioner (i.e,) the second and the third petitioners justified the acts of the 1st petitioner. Hence, the complaint.

3. Learned counsel appearing for the petitioners would submit that the petitioners are innocent; that the allegations do not warrant custodial interrogation and that to show his bonafide, the 1st petitioner has filed an Affidavit stating that he would not trouble the victim in future and prayed for Anticipatory Bail.

4. Learned Government Advocate (Crl. Side) appearing for the respondent police who is opposing for granting anticipatory bail to the petitioners reiterated the prosecution case and submitted that the 1st petitioner had taken intimate pictures of defacto complainant's daughter and posted in social media.



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5. Taking note of the facts and circumstances of the case, considering the nature of allegation against the petitioners, the fact that the pictures have now been removed from the post, the undertaking affidavit filed by the 1st petitioner, and since custodial interrogation of the petitioners is not required for the purpose of investigation, this Court is inclined to grant anticipatory bail to the petitioners with certain conditions.

6. Accordingly, the petitioners are ordered to be released on bail in 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 Special Court for Exclusive Trial of cases under POCSO Act, Dharmapuri** on condition that the petitioners shall execute a separate bond for a sum of **Rs.10,000/- (Rupees Ten Thousand only) each with two sureties** 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:



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[a] the petitioners 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 petitioners shall report before the respondent police, everyday at 10:30 a.m., until further orders;

[c] the petitioners shall not tamper with evidence or witness either during investigation or trial.

[d] the petitioners 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 petitioners in accordance with law as if the conditions have been imposed and the petitioners 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].



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

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msv

To

1. Inspector of Police,
Dharmapuri - All Women Police Station,
Dharmapuri District.
2. The Special Court for Exclusive Trial of cases under
POCSO Act,
Dharmapuri
3. The Public Prosecutor,
High Court, Madras.



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SUNDER MOHAN, J.

msv

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