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CRL OP No. 9552 of 2025



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 25-04-2025

CORAM

THE HONOURABLE MR JUSTICE SUNDER MOHAN

CRL OP No. 9552 of 2025

1. G.Pandiyan

S/o Ganesh, Mariyamman kovil street,
Yepputtur village Elavanasur kootai
post, Ulundurpett TK, Kallakuruchi 607
202

2.G.Susila

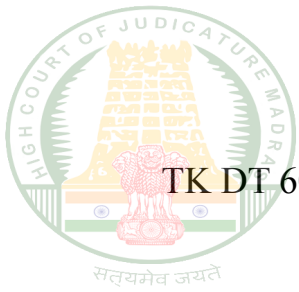
W/o Ganesh, Mariyamman kovil street
Yepputtur village Elavanasur kootai
post Ulundurpett TK Kallakuruchi 607
202.

4.A.Vasugi

W/o Anbu Selvam, 3/78, North street
Pugaipatti village post Ulundurpett
Kallakuruchi 607 202.

6.R.Killi

S/o.Radhakrishnan, No.2/93 East street
Pasar, Rishivandiyam post, Kallakurichi



TK DT 606 305.

CRL OP No. 9552 of 2025



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Vs

Petitioner(s)

1. State By

Inspector Of Police, Sankarapuram

Police Station, Kallakurichi. Crime

No.136 Of 2025

Respondent(s)

PRAYER

To grant Anticipatory Bail in the event of his arrest by the file of Respondent Police Station pending investigation and thus render justice.

For Petitioner(s): Mr.T.Sakthivel

For Respondent(s): Public Prosecutor

ORDER

The petitioner, who apprehends arrest at the hands of the respondent for the offences punishable under Sections 137(2) of BNS altered under Section 5(1) read with Section 6 of POCSO Act in Crime No.136 of 2025, on the file of the respondent Police, seeks anticipatory bail.

2.The case of the prosecution is that the first petitioner and the victim girl aged bout 16 years had love affairs and the victim girl voluntarily gone with



the first petitioner. The first petitioner had committed repeated penetrative sexual assault and committed the aforesaid offences. Hence the case

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3. Learned counsel appearing for the petitioners submitted the allegations are false and even according to the case of the prosecution, the first petitioner and the victim girl had a love affair and in any case, the allegations do not warrant any custodial interrogation of the petitioners and hence prays for grant of anticipatory bail to the petitioners.

4. Learned Government Advocate (Crl. Side) appearing for the respondent Police reiterated the prosecution case and submitted that a copy of the statement of the victim girl recorded under Section 183 of BNSS, 2023.

5. Heard the learned counsel for the petitioners, the learned Government Advocate (Crl.Side) for the respondent police, and perused the materials available on record.



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6. On a perusal of the statement of the victim girl recorded under Section 183 of BNSS Act, 2023, it confirms that the first petitioner and the victim girl had love affairs, and though the act of the first petitioner cannot be justified, considering the fact that it is a case of love affair and the victim girl voluntarily gone with the first petitioner, nature of allegations, submissions made by the learned counsel on either side, and in any case, custodial interrogation of the petitioners are not required for the purpose of investigation, this Court is inclined to grant anticipatory bail to the petitioners with certain conditions.

7. Accordingly, the petitioners are ordered to be released on bail in the event of arrest or on their appearance, within a period of fifteen days from the date on which the order copy made ready, before the learned Judicial Magistrate, Sankarapuram on condition that the petitioners 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:

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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 first petitioner shall report before the respondent Police daily at 10.30 a.m., until further orders.

[c] the second, third and fourth petitioners shall report before the respondent police as and when required for interrogation;

[d] the petitioners shall not tamper with evidence or witness either during investigation or trial;

[e] the petitioners shall not abscond either during investigation or trial;

[f] 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 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]*;



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

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Index: Yes/No

Speaking/Non-speaking order

Internet: Yes

Neutral Citation: Yes/No



To
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1.State By
Inspector Of Police, Sankarapuram
Police Station, Kallakurichi. Crime
No.136 Of 2025.

2. The Judicial Magistrate,
Sankarapuram.
3. The Public Prosecutor,
Madras High Court, Chennai.



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SUNDER MOHAN J.

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