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CRL OP No. 17489 of 2025



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 03-07-2025

CORAM

THE HONOURABLE MR JUSTICE M. NIRMAL KUMAR

CRL OP No. 17489 of 2025

M.R.Javith

Petitioner(s)

Vs

State rep. by
Inspector of Police, Ambalur Police
Station, Tirupattur District - 635 801.
Crime No.37 of 2025 offences under
section 74 of BNS and 9(1),10 of
POCSO Act & S. 4 of TNPHOW Act

Respondent(s)

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.37 of 2025 on the file of the respondent
police and thus render justice.

For Petitioner(s): Mr.S.Makesh

For Respondent(s): M/s.V. Meganathan Ga (crl
.Side)



ORDER

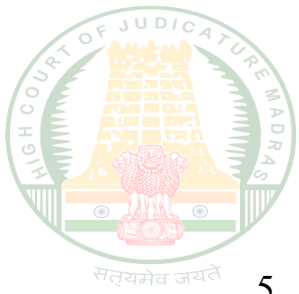
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The petitioner, who apprehends arrest at the hands of the respondent police for the offences punishable under Sections 74 BNS & 9(1), 10 of POCSO Act & Section 4 of the Tamil Nadu Prohibition of Harassment of Women Act, in Crime No.37 of 2025, on the file of the respondent police, seeks anticipatory bail.

2. The case of the prosecution is that the petitioner had misbehaved with the de facto complainant, who was a trainee nurse in M/s.Nisha hospital. Hence, the case.

3. The learned counsel for the petitioner submitted that the petitioner is innocent, he has been falsely implicated in this case and in any case, custodial interrogation of the petitioner is not required and sought anticipatory bail.

4. The learned Government Advocate (Crl.Side) appearing for the respondent police, reiterated the prosecution case and submitted that the petitioner has no bad antecedents.



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5. Taking into consideration the facts and circumstances of the case, the nature of the allegation, the petitioner has no bad antecedents and since custodial interrogation of the petitioner is not required, this Court is inclined to grant anticipatory bail to the petitioner subject to the following conditions.

6. Accordingly, the petitioner is ordered to be released on 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 **learned Judicial Magistrate, Vaniyambadi, Tirupattur 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, 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



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Aadhar card or Bank pass Book to ensure their identity.

[b] the petitioner shall report before the respondent Police, daily at 10:30 a.m., for a period of three weeks and thereafter as and when required.

[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 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 absconds, a fresh FIR can be registered under Section 269 of B.N.S.

gbi

03-07-2025

Index: Yes/No

Speaking/Non-speaking order

Internet: Yes

Neutral Citation: Yes/No



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To
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- 1.State rep. by
Inspector of Police, Ambalur Police
Station, Tirupattur District - 635 801.
Crime No.37 of 2025
- 2.The Judicial Magistrate,
Vaniyambadi, Tirupattur District.
3. The Public Prosecutor,
Madras High Court.



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M.NIRMAL KUMAR J.

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