



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 29-04-2025

CORAM

THE HONOURABLE MR JUSTICE SUNDER MOHAN

CRL OP No. 12682 of 2025

1. Balaji
s/o.Dhanapal, 1/106-2, Andiyar Street,
Suthamalli, Udayarpalayam Taluk,
Ariyalur District- 605011

Petitioner(s)

Vs

1. State by The Inspector of Police,
AWPS. Jayankondam, (Crime No. 42 of
2025)

Respondent(s)

PRAYER

To enlarge the Petitioner on bail in the event of his arrest by the Respondent police pending investigation of the case in Crime No.42 of 2025 on the file of the Respondent Police

For Petitioner(s): Mr.R.A.S. Senthilvel

For Respondent(s): Public Prosecutor



ORDER

The petitioner, who apprehends arrest at the hands of the respondent for the offences punishable under Sections 7 read with Section 8 of POCSO Act under Section 115(ii) and Section 351(ii) of BNS in Crime No.42 of 2025, on the file of the respondent Police, seeks anticipatory bail.

2. The case of the prosecutions is that the petitioner and the victim girl aged about 17 years are close relatives; they had a love affair; that subsequently the victim girl severed her relationship with the petitioner; that the petitioner thereafter harassed and blackmailed the victim girl, threatening to share her picture on social media and coerced her to marry him and also abused her mother. Hence, the case.

3. Learned counsel appearing for the petitioner would submit that the allegations against the petitioner are false; that he never indulged in such activities; that in any case to show his bonafides, the petitioner undertakes to file an affidavit before the Trial Court without prejudice to his defence that he



will not disturb the victim girl, in any manner.

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4. Learned Government Advocate (Criminal Side) appearing for the respondent police, while opposing the grant of anticipatory bail to the petitioner, reiterated the prosecution case and produced the statement of the victim girl recorded under Section 183(5) of BNSS.

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

6. The statement of the victim girl recorded under Section 183(5) of BNSS, confirms that the petitioner and the victim girl had a love affair and the petitioner blackmailed the victim girl stating that he would post her pictures in the social media.

7. Considering the facts and circumstances of the case and the submissions that the petitioner would file an affidavit without prejudice to his



defence that he would not indulge in any such activities and would not disturb the victim girl in future, this Court inclined to grant anticipatory bail to the petitioner with certain conditions.

8. 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 on which the order copy made ready, before the learned POCSO Court, Ariyalur on condition that the petitioner shall execute a separate 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 appear before the respondent



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police as and when required for interrogation;

[c] the petitioner shall file an affidavit without prejudice to his defence before the Trial Court that would not disturb the victim girl in future and would not indulge in any such activities;

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

[e] the petitioner 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 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.

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Index: Yes/No

Speaking/Non-speaking order

Internet: Yes

Neutral Citation: Yes/No



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- 1.State by The Inspector of Police,
AWPS. Jayankondam, (Crime No. 42 of
2025).
2. The POCSO Court, Ariyalur.
3. The Public Prosecutor,
Madras High Court, Chennai.



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SUNDER MOHAN J.

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