



Crl.O.P.No.13504 of 2025

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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 23.06.2025

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THE HONOURABLE MR. JUSTICE G.K.ILANTHIRAIYAN

Crl.O.P.No.13504 of 2025

K.Sundaravinayagam

... Petitioner

Vs.

State rep. by
The Inspector of Police
All Women Police Station
Chengam Town & Taluk
Thiruvannamalai District
Crime No. 16 of 2025

... Respondent

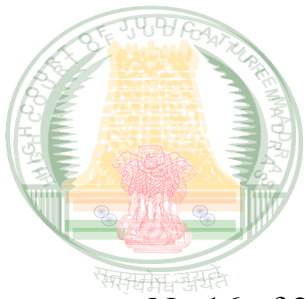
PRAYER : Criminal Original Petition filed under Section 482 of Bharatiya Nagarik Suraksha Sanhita, 2023, to enlarge the petitioner on bail in the event of his arrest by the respondent police in Crime No.16 of 2025 pending investigation on the file of the respondent police.

For Petitioner : Mr.Bhagialakshmi.V

For Respondent : Mr.R.Vinothraja
Government Advocate (Crl.Side)

ORDER

The petitioner, who apprehends arrest for the alleged offences under Sections 9(f), 9(m), r/w 10 of POCSO Act, 2012 @ Sections 9(f), 9(m), 9(1) r/w 10 of POCSO Act, 2012 & 3(I), (w)(I)(II), 3(2) (Va) of SC/ST Act, in Crime



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No.16 of 2025, on the file of the respondent police, seeks anticipatory bail.

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2. The case of the prosecution is that the petitioner had committed aggravated sexual assault on the victim girls by kissing them, pinching their thighs and made the victim girls to sit on his lap. Hence the case.

3. The learned counsel appearing for the petitioner submits that the petitioner is an innocent person and he has not committed any such offence as alleged by the prosecution. However, on instructions, the learned counsel further submits that the petitioner is ready and willing to abide by any conditions that may be imposed by this Court and hence, he prays to grant anticipatory bail to the petitioner.

4.The learned Government Advocate (Criminal Side) appearing for the respondent police while reiterating the prosecution case, has strongly opposed for grant of anticipatory bail to the petitioner.

5. Heard both sides and perused the materials available on record.

6. On perusal of the statements recorded under Section 164 of Cr.P.C.,



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from the victims, there is no overt-act attributed as against the petitioner to attract any of the offences as alleged by the prosecution. Therefore, the custodial interrogation of the petitioner does not require in this case.

7. Taking note of the facts and circumstances of the case, nature of allegations, submissions made by the learned counsels on either side, this Court is 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 (15) days from the date of receipt of a copy of this order, before the *learned Special Judge, Special Court of Trial of Cases under POCSO Act, Thiruvannamalai*, 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 and on further condition that:

[a] 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;



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[b] the petitioner shall report before the respondent Police daily at 10.30 a.m for a period of two weeks and thereafter, as and when required for further interrogation;

[c] the petitioner shall not abscond either during investigation or trial;

[d] the petitioner shall not tamper with evidence or witness 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.

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Note :

1. Registry is directed to forthwith upload this



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order in the Official Website of this Court.

2. All concerned to act on this order being uploaded in Official Website of this Court without insisting on certified hard copies. To be noted, this order when uploaded in the official website of this Court will be watermarked and will also have a QR code.

To

1. The Special Judge, Special Court of Trial of Cases under POCSO Act, Thiruvannamalai,
2. The Inspector of Police
All Women Police Station
Chengam Town & Taluk
Thiruvannamalai District
3. The Public Prosecutor,
High Court of Madras.

G.K.ILANTHIRAIYAN, J.

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