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Crl.O.P.No.13765 of 2025



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 21.05.2025

CORAM

THE HON'BLE MR. JUSTICE N.SENTHILKUMAR

Crl.O.P.No.13765 of 2025

M.R.Javith
Petitioner

...

-VS-

The State Represented by,
The Inspector of Police,
Ambalur Police Station,
Tirupattur District.
(Crime No.37 of 2025)

... Respondent

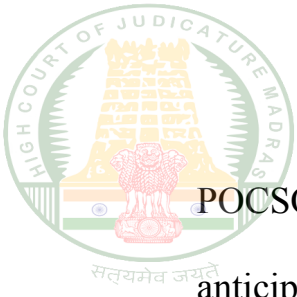
PRAYER: Criminal Original Petition filed under Section 482 of Bharatiya
Nagarik Suraksha Sanhita, 2023, pleaded to enlarge the petitioner on bail in
the event of their arrest by the respondent police in Crime No.37 of 2025
pending investigation on the file of the respondent police.

For Petitioner : Mr.S.Premakumari

For Respondent : Mr.A.Gopinath,
Government Advocate (Crl.Side)

ORDER

The petitioner, who apprehends arrest at the hands of the respondent
police for the alleged offences under Sections 74 of BNS and 9(1), 10 of



POCSO Act r/w Section 4 of TNPHW Act, in Crime No.37 of 2025, seeks anticipatory bail.

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2. The case of the prosecution is that as per the *de-facto* complainant, xxxx, aged about 17 years, is working under the petitioner at Nisha Hospital. On the date of alleged occurrence, the accused has hugged and kissed her and also attempted to misbehave with her. Hence the case.

3. The learned counsel appearing for the petitioner submitted that the petitioner, aged about 37 years, is an innocent person and he has been falsely implicated in this case. He further submitted that there was a dispute between the petitioner and one Moulishwaran, who were working together in the same hospital. In order to harass the petitioner, a false case has been foisted against him. He further submitted that he is ready to abide by any conditions that may be imposed by this Court, hence, he prays for grant of anticipatory bail to the petitioner.

4. The learned Government Advocate (Crl.Side) appearing for the respondent police submitted that the petitioner misbehaved with the victim girl by touching her private parts. He further submitted that a statement was recorded under Section 183(5) BNS, wherein, she admitted that the petitioner had misbehaved with her and also committed sexual assault on her; and that the



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investigation is still pending. However, he opposed to grant anticipatory bail to the petitioner.

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5. Heard both sides and perused the materials available on record including the First Information Report including the statement recorded under Section 183(5) BNS, from the victim girl.

6. Taking into consideration the facts and circumstances of the case, the submissions made by the learned counsels, the gravity of offence and also taking note of the statement recorded under Section 183(5) BNS and the fact that the investigation is still pending, this Court is not inclined to grant anticipatory bail to the petitioner.

7. Accordingly, this Criminal Original Petition is dismissed.

21.05.2025

drl

“Note:

1. Registry is directed to forthwith upload this order in the Official Website of this Court.



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2. All concerned to act on this order being uploaded in Official Website of this Court without insisting on certified hard copies.

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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 Inspector of Police,
Ambalur Police Station,
Tirupattur District.

2.The Public Prosecutor,
High Court, Madras.



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N.SENTHILKUMAR,J

drl

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