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Crl.O.P.No.14994 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.14994 of 2025

Vetrivel

... Petitioner

-VS-

The State Represented by,
The Inspector of Police,
Adiyamankottai Police Station,
Dharmapuri District.
(Crime No.113 of 2025)

... Respondent

PRAYER: Criminal Original Petition filed under Section 482 of Bharatiya
Nagarik Suraksha Sanhita, 2023, pleased to enlarge the petitioners on bail in the
event of their arrest by the respondent police in Crime No.113 of 2025 pending
investigation on the file of the respondent police.

For Petitioner : Mr.S.Sasikumar

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 Section 366 IPC and Section 3 & 4(2) of POCSO



Act, in Crime No.113 of 2025, seeks anticipatory bail.

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2. The case of the prosecution is that the petitioner kidnapped the victim girl and had physical relationship with her. When the victim girl refused the petitioner's proposal, he threatened her by stating that the videos would be uploaded on the website. Hence the complaint.

3. The learned counsel appearing for the petitioner submitted that the petitioner, who is aged about 21 years, is an innocent person and a false complaint has been given as against him. He further submitted that the petitioner and the victim have been in love, since the year 2020 and when the family members of the victim girl came to know about the same, they refused to accept the marriage since the petitioner belongs to different community. Hence, he prays to grant anticipatory bail to the petitioner.

4. The learned Government Advocate (Crl.Side) appearing for the respondent police submitted that the petitioner had kidnapped the victim girl and committed penetrative sexual assault on her and also threatened her by showing videos. He further submitted that a statement was recorded from her under Section 183(5) BNS, wherein, she admitted that the petitioner had committed



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penetrative sexual assault on her against her wish and that the petitioner had threatened her that he would upload her videos on a website. He further submitted that the occurrence took place in the year 2020, while the complaint was filed in the year 2025. However, he opposed to grant anticipatory bail to the petitioner.

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

6. Considering the arguments from both sides, the nature of the offence, taking note of the statement recorded under Section 183(5) BNS and also considering the fact that the occurrence took place in the year 2020 and the complaint is filed in the year 2025 and also considering all other aspects, I am inclined to grant anticipatory bail to the petitioner, subject to certain conditions.

7. Accordingly, this Criminal Original Petition stands allowed and the petitioner is ordered to be released on anticipatory 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 Special Court for Exclusive Trial of**



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Cases under POCSO Act, Dharmapuri, on condition that the petitioner shall execute a bond for a sum of Rs.10,000/- (Rupees Ten Thousand only) with two sureties for a like sum to the satisfaction of the learned Magistrate concerned and on further condition that:

(a) the petitioner shall report before the concerned Judicial Magistrate daily at 10.30 a.m, from Monday to Friday and shall further appear before the respondent police at 10.30 a.m., on every Saturday and Sunday until further orders.

[b] the petitioner shall not tamper with evidence or witness either during investigation or trial.

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

[d] 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 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].

[e] If the accused thereafter absconds, a fresh FIR can be registered under Section 269 B.N.S.2023.



21.05.2025

“Note:

1. Registry is directed to forthwith upload this 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 Inspector of Police,
Adiyamankottai Police Station,
Dharmapuri District.
- 2.The Public Prosecutor,
High Court, Madras.
- 3.The Special Court for Exclusive Trial of Cases
under POCSO Act, Dharmapuri.



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N.SENTHILKUMAR,J

drl

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