



Crl.O.P.No.15421 of 2025

WEB COPY

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 15.05.2025

CORAM

THE HONOURABLE MR. JUSTICE M.NIRMAL KUMAR

Crl.O.P.No. 15421 of 2025

Sangeetha

...Petitioner

Vs.

State rep by
The Inspector of Police,
Gingee Police Station,
Villupuram District.

(Crime No.79 of 2025)

... Respondent

PRAYER: This criminal original petition has been filed under Section 483 of BNSS to enlarge the petitioner on bail in the event of arrest in Crime No.79 of 2025 on the file of the respondent police.

For Petitioner : Mr.R.Haribabu

For Respondent : Mr.V.Meganathan
Government Advocate (Crl. Side)



WEB COPY



Crl.O.P.No.15421 of 2025

ORDER

The petitioner, who apprehends arrest at the hands of the respondent police for the offences punishable under Sections 296 (b), 75 (1) (i), 75 (2), 78 (2), 351 (3), 108 of BNS, 4(B)(2) TNPWH Act, Section 9(L) r/w 10 of POCSO Act, 2012 in Crime No.79 of 2025, seek anticipatory bail.

2.It is the case of the prosecution that the defacto complainant is the mother of the deceased aged 13 years; that while the defacto complainant's daughter was going to school, the petitioner's brother had threatened her, abused and tortured her to have love affair; that on the date of occurrence, the petitioner's brother had pulled her hand; that the parents of the deceased informed the same to the parents of the accused; on that day, petitioner had abused the defacto complainant's daughter, as a result of which she committed suicide by hanging. Hence the case.

3.The learned counsel for the petitioner would submit that the



Crl.O.P.No.15421 of 2025

WEB COPY

petitioner is innocent and she has been falsely implicated in this case. The first accused has been released on bail by this Court in Crl.O.P. No.8038 of 2025 on 26.03.2025. He further submitted that the custodial interrogation of the petitioner is not required and sought for anticipatory bail to the petitioner.

4.Per contra, the learned Government Advocate (Criminal Side) reiterated the prosecution case and submitted that in this case the victim is a 13 years old school going girl. The Petitioner's brother had abused, threatened and constantly following the victim girl and committed harassment and sexually assaulted her and unable to bear his torture, the victim girl had committed suicide. Investigation is in progress. Hence, he opposed for the grant of anticipatory bail.

5.Having heard the learned counsel for the petitioner and the learned Government Advocate (Criminal Side) for the respondent Police and perused the materials available on record, and considering the fact that the prime accused namely A1, the brother of the petitioner has already been



Crl.O.P.No.15421 of 2025

WEB COPY

released on bail in Crl.O.P.No.8038 of 2025 dated 26.03.2025 and the only allegation against the petitioner is that she had supported her brother/A1, hence this Court is inclined to grant anticipatory bail to the petitioner with certain conditions and accordingly, she is ordered to be released on bail in the event of arrest or on her appearance within a period of fifteen days from the date of receipt of a copy of this order, before the **learned Judicial Sessions Judge, Special Court for Exclusive trial of cases under POCSO Act, Villupuram**, 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, on further condition that:

[a] if the petitioner fails to surrender before the said Magistrate within a period of fifteen days, this Order shall stand automatically cancelled;

[b] The sureties shall affix their photographs and left thumb impression in the Application for Suretyship [Judicial Form No.46 annexed to 'The Criminal Rules of Practice, 2019']. The learned Magistrate shall obtain a copy of any one of identify proofs to ensure their identity;



WEB COPY



Crl.O.P.No.15421 of 2025

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

[d] the petitioner shall not directly or indirectly cause any threat to the defacto complainant and witnesses and shall not tamper with evidence or witness either during investigation or trial;

[e] the petitioner shall make himself available for interrogation by a Police office as and when required;

[f] the petitioner to give an undertaking that if required for being identified by witnesses during investigation or for Police custody beyond the first fifteen days, he shall comply to the directions as may be given by the Court in this regard;

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

[h] 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

M.NIRMAL KUMAR, J.

[(2005)AIR SCW 5560];



WEB COPY



Crl.O.P.No.15421 of 2025

[i] If the accused thereafter absconds, a fresh FIR can be registered under Section 269 of BNS.

15.05.2025

ep/rkp

Copy to:

- 1.The Inspector of Police,
Gingee Police Station,
Villupuram District.
- 2.The Sessions Judge, Special Court for Exclusive Trial of Cases under
POCSO Act, Villupuram.
- 3.The Public Prosecutor,
High Court, Madras.

Crl.O.P.No. 15421 of 2025