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Crl.O.P.No.15830 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 02.07.2025

CORAM

THE HONOURABLE MR JUSTICE M.NIRMAL KUMAR

Crl.O.P.No.15830 of 2025

Harish

... Petitioner

Vs

The State rep. by
The Inspector of Police,
AWPS, Krishnagiri,
Crime No.12 of 2025.

... Respondent

PRAYER: Criminal Original Petition filed under Section 482 of Bharatiya
Nagarik Suraksha Sanhita, 2023 praying to enlarge the petitioner on bail in
the event of his arrest in Crime No.12 of 2025 on the file of the Inspector of
Police, All Women Police Station, Krishnagiri.

For Petitioner : Mr.U.Manogar
For Respondent : Mr.V.Meganathan
Government Advocate (Criminal Side)

ORDER

The petitioner, who apprehends arrest at the hands of the respondent
Police for the offences punishable under Sections 11(1) and 12 of POCSO
Act and Section 351(2) of BNS in Crime No.12 of 2025, on the file of the



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respondent Police, seeks anticipatory bail.

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2.The case of the prosecution is that on 18.02.2025 at about 6.00 p.m., when the victim was about to get into the auto, the petitioner intercepted, grabbed her hand and asked her whether she is in love with him or not and when the auto driver intervened, the petitioner threatened him. Hence, the case.

3.The learned counsel for petitioner submits that false allegations has been made against the petitioner and he is not present in the scene of occurrence at that point of time. He further submits that the petitioner is ready to abide by any stringent condition that may be imposed by this Court.

4.Learned Government Advocate (Criminal Side) appearing for the respondent Police produced Section 164 Cr.P.C. statement of the victim and submitted that the victim girl confirms the alleged act of the petitioner. Hence, he strongly opposed for granting bail to the petitioner.

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



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7.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 of receipt of a copy of this order, before the learned Sessions Judge, Fast Track Mahila Court, Krishnagiri 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 the identify proofs to ensure their identity;

[c]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 interrogation;



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[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 themselves available for interrogation by a Police officer 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, they shall comply to the directions as may be given by the Court in this regard;

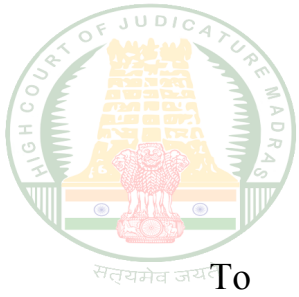
[g] the petitioner shall not abscond either during investigation or trial;

[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 petitioners 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];

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

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To
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- 1.The Sessions Judge,
Fast Track Mahila Court,
Krishnagiri.
- 2.The Inspector of Police,
AWPS, Krishnagiri.
- 3.The Public Prosecutor,
Madras High Court.



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M.NIRMAL KUMAR, J.

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