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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 19.06.2025

CORAM

**THE HONOURABLE MR. JUSTICE M.NIRMAL KUMAR**

**CrI.O.P.No.17132 of 2025**

1.Murugan

2.Murali

... Petitioners

Vs.

State rep. by  
The Inspector of Police  
Thiruvannamalai Rural,  
Thandarampattu  
Thiruvannamalai District  
Crime No. 33 of 2025.

... Respondent

**PRAYER :** Criminal Original Petition filed under Section 482 of Bharatiya Nagarik Suraksha Sanhita, 2023, to enlarge the petitioner on anticipatory bail in Crime No.33 of 2025 on the file of the Respondent police.

For petitioner : Mr.R.Vijayakumar

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

**ORDER**

The petitioners who apprehend arrest at the hands of the respondent police for the alleged offences under Sections 296(b), 115(2), 351(2) of BNS and Sections 11(1) and 12 of POCSO Act, 2012 and Section 4 of TNPHW Act, 2002, in Crime No.33 of 2025, seeks anticipatory bail.

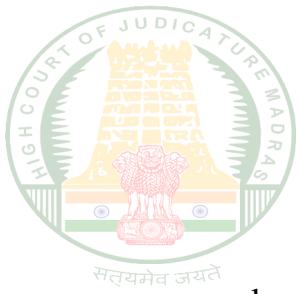


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2. The case of the prosecution is that the petitioners are said to have shared the photos of the victim girl in the social media. On questioning the same, they have scolded and tried to slap the victim on the cheek. On interruption, they have also scolded the wife of the defacto complainant and also threatened with dire consequences. Hence, the complaint.

3. Learned counsel appearing for the petitioners submitted that petitioners A2 and A3 is the father and uncle of A1 respectively. Rahulraj/A1 had attended the birthday celebration of his cousin/victim girl and captured photos of the victim girl and also posted in the social media. On complaint, a case was registered against the said Rahulraj. A1 has filed CrI.MP.No.27/2025 before the Sub-Court, Tiruvannamalai. At that time, the victim girl had appeared before the said court and confirmed that A1 is her uncle's son and there was a family dispute between them and now the issue has been resolved and she has no objection to release the petitioner on bail. The petitioners are innocent persons and have been falsely implicated in this case. He also submitted that the petitioners are in no way connected with the alleged offence, He further submitted that the petitioners are ready to abide by any stringent condition that may be imposed by this Court. Hence, he prayed for grant of anticipatory bail to the petitioners.

4. Learned Government Advocate (Criminal Side) appearing for the



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respondent police, while opposing for grant of anticipatory bail to the petitioners, reiterated the prosecution case and submitted that the petitioners/A2 and A3 and A1 have posted the photos of the victim girl and these petitioners have not taken any action against A1 and the victim girl appeared before the lower court and stated that the issue is compromised between the parties.

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

6. Considering the facts and circumstances of the case, submissions made by the learned counsel on either side and that the petitioners are ready to abide by any condition and that the petitioners being relatives of A1 cannot be punished for the act of A1 which he has done it independently, this Court is inclined to grant anticipatory bail to the petitioners with certain conditions.

7. Accordingly, the petitioners are ordered to be released on anticipatory bail on their executing 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 *learned Sessions Court for POCSO Cases, Thiruvannamalai*, and on further conditions that:

[a] the sureties shall affix their photographs and Left Thumb Impression in the Application for Surety ship [Judicial Form No.46 annexed to 'The Criminal Rules of Practice, 2019']. The learned Magistrate shall obtain a copy of any one of the identity



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proofs to ensure their identity;

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

[c] the petitioners shall make himself available for interrogation by a Police Officer as and when required;

[d] the petitioners shall not directly or indirectly cause any threat to the de facto complainant and witnesses;

[e] the petitioners 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;

[f] On breach of any of the aforementioned conditions, the learned Magistrate/Trial Court is entitled to pass appropriate orders against the petitioner in accordance with law as if the aforementioned 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)13 SCC 283]**;

[g] 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 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 Sessions Court for POCSO Cases, Thiruvannamalai,
2. The Inspector of Police  
Thiruvannamalai Rural,  
Thandarampattu  
Thiruvannamalai District
3. The Public Prosecutor,  
High Court of Madras.



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**M.NIRMAL KUMAR, J.**

gv

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