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CRL OP No. 17535 of 2025



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 03-07-2025

CORAM

THE HONOURABLE MR JUSTICE M. NIRMAL KUMAR

CRL OP No. 17535 of 2025

Rajasekar

Petitioner(s)

Vs

The State Rep. by the Inspector of
Police,
Manalurpet Police Station Kallakurichi,
District, (Crime No. 187 of 2025)

Respondent(s)

PRAYER Criminal Original Petition filed under Section 482 of Bharatiya
Nagarik Suraksha Sanhita, 2023, to enlarge them on bail in the event of their
arrest or surrender in crime no.187 of 2025 on the file of the respondent.

For Petitioner(s): Mr.Gopalakrishnan E

For Respondent(s): M/s.V. Meganathan Ga (crl
.Side)

**ORDER**

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The petitioner, who apprehends arrest at the hands of the respondent police for the alleged offences punishable under Sections 296(b), 115(2), 75 and 351(3) of BNS and 4 of TNPHW Act, in Crime No.187 of 2025, seeks anticipatory bail.

2. The case of the prosecution as per the defacto complainant is that, due to family dispute, the petitioner sexually abused the defacto complainant and also assaulted her and intimidated her. Hence the case.

3. The learned counsel for the petitioner would submit that the petitioner is an innocent person and due to previous enmity between the petitioner and the defacto complainant, a false complaint has been given against the petitioner. He further submitted that the petitioner has not committed any offence as alleged by the prosecution. Hence, he prayed to grant anticipatory bail to the petitioner .

4. The learned Government Advocate (Crl. Side) would submit that due to family dispute, the petitioner had sexually abused the defacto complainant and threatened her. However, he vehemently opposed to grant anticipatory bail



to the petitioner.

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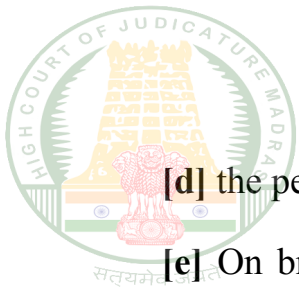
5. Heard the learned counsel for the petitioner and learned Government Advocate (Crl. Side) and perused the materials available on record.

6. Considering the submissions made on either side; nature of allegation; and since custodial interrogation of the petitioner is not required, this Court is inclined to grant anticipatory bail to the petitioner subject to the following conditions:

(a) 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 **Judicial Magistrate, Tirukovilur Court**, 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, failing which, the petition for anticipatory bail shall stand dismissed and on further condition that:

[b] the petitioner shall report before the respondent police every day at 10:30 a.m., for a period of three weeks and thereafter as and when required;

[c] the petitioner shall not tamper with evidence or witness either during investigation or trial;



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

[e] 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 [(2005)AIR SCW 5560]**;

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

03-07-2025

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Index: Yes/No

Speaking/Non-speaking order

Internet: Yes

Neutral Citation: Yes/No



To
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1. The State Rep. by the Inspector of Police,
Manalurpet Police Station Kallakurichi,
District, (Crime No. 187 of 2025)
2. The Judicial Magistrate, Tirukovilur
Court.
3. The Public Prosecutor,
High Court of Madras.



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M.NIRMAL KUMAR J.

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