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Crl.O.P.No.18785 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 29.07.2025

CORAM

THE HONOURABLE MR. JUSTICE M.NIRMAL KUMAR

Crl.O.P.No.18785 of 2025

A.Gajendran

.. Petitioner/Accused

Vs.

The State Rep by,
The Inspector of Police,
All Women Police Station,
Hosur, Krishnagiri District.
(Crime No.64 of 2025)

.. Respondent

PRAYER: Criminal Original Petition filed under Section 482 of Bharatiya Nagarik Suraksha Sanhita, 2023, to enlarge the petitioner on bail in the event of arrest in connection with Crime No.64 of 2025 on the file of the respondent police.

For Petitioner : Mr.R.Ezhilarasan

For Respondent : Mr.Leonard Arul Joseph Selvam
Government Advocate (Crl.Side)



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ORDER

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2. The case of the prosecution is that the petitioner and the victim girl are relatives. Though there is an age difference, they still had a love affair. On coming to know about the same, the parents arranged marriage for the victim against her wish. Thereafter, it was the victim girl who called the petitioner to take her along with him; otherwise, she would end her life. Left with no other option, the petitioner eloped with the victim girl and had physical relationship. Hence, the case.

3. Learned counsel appearing for the petitioner submits that the petitioner is innocent, has not committed any offence, as alleged by the prosecution and has been falsely implicated in this case. He would further submit that the petitioner is ready and willing to abide by any conditions



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that may be imposed by this Court and hence, he prays to grant anticipatory bail to the petitioner.

4. Learned Government Advocate (Crl.Side) appearing for the respondent Police while opposing the grant of anticipatory bail to the petitioner, reiterated the prosecution case and submits that the victim, in her statement recorded under Section 164 of Cr.P.C., confirmed her relationship with the petitioner. Furthermore, the victim is aged about 17 ½ years and has not yet attained the age of majority.

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, this Court is inclined to grant anticipatory bail to the petitioner with certain conditions.

6. 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 on which the order copy made ready, before **the learned Judicial**



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Magistrate No.1, Hosur, 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 learned Magistrate concerned, and on proof of payment of deposits, failing which, the petition for anticipatory bail shall stand dismissed and 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;

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

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



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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 [(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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M.NIRMAL KUMAR, J.

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To

- 1.The Judicial Magistrate No.1,
Hosur.
- 2.The Inspector of Police,
All Women Police Station,
Hosur, Krishnagiri District.
- 3.The Public Prosecutor,
Madras High Court, Chennai.

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