



Crl.O.P.No.21375 of 2025

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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 10.09.2025

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THE HONOURABLE MRS. JUSTICE T.V.THAMILSELVI

Crl.O.P.No.21375 of 2025

Ramachandran

... Petitioner

Vs.

State Rep. By
The Inspector of Police,
Thirumurugan Poondi Police Station,
Tiruppur District.
(Crime No.689 of 2023)

... Respondent

PRAYER : Criminal Original Petition filed under Section 482 of Bharatiya Nagarik Suraksha Sanhita, 2023, to enlarge the petitioner on anticipatory bail in the event of his arrest on the basis of the NBW issued in Spl.S.C.No.128 of 2023 on the file of the Fast Track Mahila Court, Tiruppur, in Crime No.689 of 2023 on the file of the Thirumurugan Poondi Police Station, Tiruppur District.

For Petitioner : Mr.K.S.Palanisamy

For Respondent : Mr.S.Udayakumar
Government Advocate (Crl.Side)



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ORDER

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The petitioner herein apprehends arrest at the hands of the respondent police for the offences punishable under Section 5(1) read with Section 6 of POCSO Act, Section 9 of the Prohibition of Child Marriage Act and Section 366(A) of IPC in Crime No.689 of 2023, on the file of the respondent Police, seeks anticipatory bail.

2. The case of the prosecution is that the petitioner was arrested and remanded to judicial custody for a period of 85 days. Subsequently, the petitioner was enlarged on bail, but thereafter, he failed to appear regularly before the Trial Court regularly. Hence, the Trial Court issued a Non-Bailable Warrant against the petitioner on 26.07.2024.

3. The learned counsel appearing for the petitioner submits that a compromise has been arrived at between the parties and that the parents of the victim have accepted the petitioner. He further submits that the petitioner was not available to receive the summons and therefore, his non-appearance before the Trial Court was neither wilful nor wanton. It is further submitted that the petitioner is ready to abide any condition that may be imposed by this Court and hence seeks for grant of anticipatory bail to the petitioner.

4. The learned Government Advocate (Crl. Side) submitted that this is



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a case of jumped bail. Due to non-appearance of the petitioner before the Trial Court, the learned Trial Judge has issued a Non-Bailable Warrant against him. It is further submitted that, if anticipatory bail is granted, it would be very difficult to secure him. Hence, he vehemently objected for grant of anticipatory bail to the petitioner.

5. Heard the learned counsels on either side and perused the materials available on record.

6. Considering, the facts and circumstances of the case and considering the period of incarceration, this Court is inclined to grant anticipatory bail to the petitioner with certain conditions.

7. Accordingly, the petitioner is ordered to be released on bail in the event of arrest or on his appearance, within a period of ten days from the date of receipt of a copy of this order before the learned **Fast Track Mahila Court, Tiruppur**, on condition that the petitioner shall execute a bond for a sum of **Rs.10,000/- (Rupees Ten Thousand Only)** with two sureties, in **which one surety must be a blood surety** for a like sum to the satisfaction



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of the learned Magistrate concerned and on further condition that:

[a] if the petitioner fails to surrender before the concerned Magistrate within a period of ten days from the date of receipt of a copy of this order, this order shall stand automatically cancelled;

[b] 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 proofs to ensure their identity;

[c] the petitioner shall report before the Trial Court on every Tuesday at 10.30 a.m., for a period of four months, and thereafter as and when required for interrogation;

[d] 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 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)13 SCC 283]**;

[e] If the accused thereafter absconds, a fresh FIR can be registered under Section 269 of B.N.S.



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To

- 1.The Fast Track Mahila Court, Tiruppur.
- 2.The Inspector of Police,
Thirumurugan Poondi Police Station,
Tiruppur District.
- 3.The Public Prosecutor,
High Court of Madras.

T.V.THAMILSELVI, J.



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