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Crl.O.P.No.21876 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 11.09.2025

CORAM

THE HONOURABLE MRS. JUSTICE T.V.THAMILSELVI

Crl.O.P.No.21876 of 2025

K.Venkatachalam

... Petitioner/Accused

Vs

The State rep by
the Inspector of Police,
All Women Police Station
Mettur – 636 401,
Salem District.
(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 anticipatory bail in the event of his arrest in Crime No.12 of 2025 on the file of the respondent police.

For petitioner : Mr.Karthikeyan, S.R.

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

ORDER

The petitioner, who apprehends arrest at the hands of the respondent police for the offences punishable under Section 11(1) r/w 12 of POCSO Act,



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2012 in Crime No.12 of 2025, on the file of the respondent police, seeks anticipatory bail.

2.The case of the prosecution is that when the de-facto complainant's daughter was sweeping the entrance of her house, the petitioner, who is standing on the road, has acted in a vulgar manner. Hence, the case.

3. The learned counsel for the petitioner submitted that the petitioner is an innocent person and he has been falsely implicated in this case. There was previous dispute between the petitioner's family and de-facto complainant's family with regard to usage of pathway. Hence, prayed for anticipatory bail to the petitioner.

4.The learned Government Advocate (Crl. Side) appearing for the respondent police submitted that when the de-facto complainant's daughter was sweeping the entrance of her house, the petitioner acted in a vulgar manner. He further submitted that investigation in this case almost completed. Hence, he strongly opposed to grant anticipatory bail to the petitioner.



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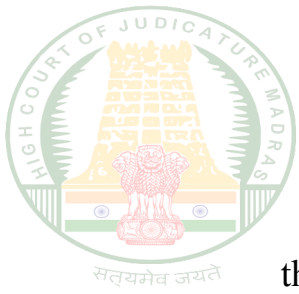
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5. Heard the learned counsel for the petitioner and the learned Government Advocate for the respondent Police and perused the materials available on record.

6. Considering the facts and circumstances of the case and the fact that investigation in this case almost completed, 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 fifteen days from the date on which the order copy made ready, before the **learned Special Judge for Exclusive Trial of Cases under POCSO Act, Salem** 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, failing which, the petition for anticipatory bail shall stand dismissed and on further condition that:

[a] the petitioner and the sureties shall affix their photographs and Left Thumb Impression in the surety bond and



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the Magistrate may obtain a copy of their Aadhar card or Bank pass Book to ensure their identity.

[b] the petitioner shall report before the respondent police on every Tuesday and Saturday at 10.30 a.m., for a period of three months.

[c] the petitioner shall not directly or indirectly cause any threat to the victim girl and her family members;

[d] the petitioner shall not tamper with evidence or witness either during investigation or trial.

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

[f] 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]**.

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

11.09.2025

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To

1.The Special Judge for Exclusive Trial of Cases

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under POCSO Act, Salem.

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2.The Inspector of Police,
All Women Police Station
Mettur – 636 401,
Salem District.

3.The Public Prosecutor,
High Court, Madras.



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T.V.THAMILSELVI, J.

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