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Crl.O.P.No.25114 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 15.09.2025

CORAM

THE HON'BLE DR.JUSTICE G.JAYACHANDRAN

Crl.O.P.No.25114 of 2025

Povarasan

... Petitioner

Vs.

State Rep by its
The Station House Officer,
All Women Police Station,
Kallakurichi.
(Crime No.47 of 2024)

... Respondent

PRAYER : Criminal Original Petition filed under Section 482 of BNSS, to enlarge the petitioner on bail in the event of his arrest in Crime No.47 of 2024 on the file of the Station House Officer, All Women Police Station, Kallakurichi.

For Petitioner : Mr.M.Kamesh

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

ORDER

The petitioner herein apprehends arrest at the hands of the respondent police for the offences punishable under Sections 7, 8, 9(1), 10, 11(4) and 12 of POCSO Act altered into Sections 7, 8, 9(1) and 10 of POCSO Act, in Crime No.47 of 2024 on the file of the respondent Police, seeks anticipatory bail.



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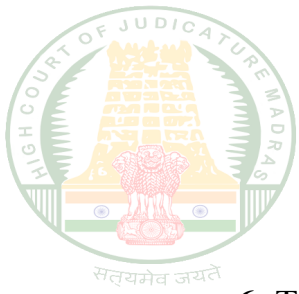
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2. The case of the prosecution is that the complaint regarding the harassment of the minor girl is the subject matter of the crime number in which the petitioner is arrayed as an accused. The petitioner claims that the de-facto complainant and the petitioner are closely related and were in love. Due to some misunderstanding, a false complaint was lodged by the de-facto complainant in the month of November 2024. Hence, the present case.

3. The learned counsel appearing for the petitioner states that the petitioner is an innocent person who has been falsely implicated in this case. Hence, he prayed for grant of anticipatory bail to the petitioner.

4. The learned Government Advocate (Criminal Side) appearing for the respondent police while opposing for granting anticipatory bail to the petitioner, reiterated the prosecution case. He further submitted that the charge sheet has been filed, as the investigation has been completed and final report has been submitted.

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



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6. Taking into consideration the statement of the victim child, this Court is of the view that custodial interrogation of the petitioner is not required in this case. Hence, 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 before the learned **Judicial Magistrate No.1, Kallakurichi**, on condition that the petitioner shall execute a bond for a sum of **Rs.25,000/- (Rupees Twenty Five Thousand only) with two sureties** each for a like sum to the satisfaction of the learned Magistrate concerned and on further condition 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 proofs to ensure their identity;

[b] the petitioner shall report before the **Madanapalle Sub-Court, Kallakurichi on every Monday at 10.30a.m., until further orders;**



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[c] 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]**;

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

15.09.2025

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To

1. The Judicial Magistrate No.1, Kallakurichi.
2. The Station House Officer,
All Women Police Station,
Kallakurichi.
3. The Public Prosecutor,
High Court of Madras.



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Dr.G.JAYACHANDRAN, J.

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