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Crl.O.P.No.2698



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 06.10.2025

CORAM :

THE HON'BLE MR. JUSTICE K. RAJASEKAR

Crl.O.P.No.26983 of 2025

Siranjeevi

... Petitioner

-VS-

State Rep by,
The Inspector of Police,
Deevattipatti Police Station,
Salem District.
(Crime No.106 of 2024)

... Respondent

Prayer:- Criminal Original Petition filed under Section 482 of BNSS, 2023, to enlarge the petitioner on bail in the event of his arrest in Crime No.106 of 2024 on the file of the respondent police.

For Petitioner : Mr.C.Deepak Kumar

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

ORDER

The petitioner, who apprehends arrest for the alleged offence punishable under Sections 366(A) of IPC r/w 5(1) & 6(1) of POCSO Act, 2012 & 9 of Child Marriage Act, in Crime No.106 of 2024 on the file of the



respondent police, seeks anticipatory bail.

2. The case of prosecution is that the defacto complainant having a minor daughter by name Christina aged about 17 years, she is studying 1st year nursing in Sri Vasan Nursing institution at Omalur and her date of birth is 14.06.2007. The petitioner herein under the pretext of love and seduced the victim girl and Kidnapped her and committing penetrative sexual assault on her. Hence this case.

3. The learned counsel appearing for petitioner submitted that the petitioner has not committed any offence as alleged by the prosecution and the petitioner and victim were known to each other for quite long time, and she voluntarily accompanied him and he has been falsely implicated in this case. Hence, he prays for grant of anticipatory bail.

4. The learned Government Advocate (Crl. Side) appearing for respondent would submit that he produced the statement of the victim girl, 164 statement was recorded. However, he vehemently opposed to grant anticipatory bail to the petitioner.

5. The statement of the victim girl reveals various facts including relationship between the petitioner and victim, I am of the view that custodial interrogation is not necessary and 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 (15) days from the date of receipt of a copy of this order before the *learned Judicial Magistrate, Omalur*, on condition that the petitioner shall execute a bond for a sum of **Rs.15,000/- (Rupees Fifteen 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 further condition that:

(a) the sureties shall affix their photographs and left thumb impression in the surety bond and 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 daily at 10.30 a.m., for the period of three weeks and thereafter as and when requires for interrogation until further orders and the petitioner shall co-operate for the investigation and for the medical examination;

(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

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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]*; and;

(f) if the accused thereafter absconds, a fresh FIR

can be registered under Section 269 of B.N.S.

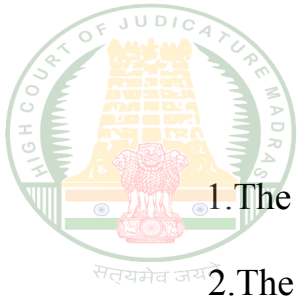
06.10.2025

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Note :

1. Registry is directed to forthwith upload this order in the Official Website of this Court.
2. All concerned to act on this order being uploaded in Official Website of this Court without insisting on certified hard copies. To be noted, this order when uploaded in the official website of this Court will be watermarked and will also have a QR code.

To



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1.The Judicial Magistrate, Omalur.

2.The Inspector of Police,
Deevattipatti Police Station,
Salem District.

3.The Public Prosecutor,
High Court, Madras.

K. RAJASEKAR, J.



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