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Crl.O.P.No.2688



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 06.10.2025

CORAM :

THE HON'BLE MR. JUSTICE K. RAJASEKAR

Crl.O.P.No.26886 of 2025

D.Deeparaj

... Petitioner

-VS-

State Rep by,
The Inspector of Police,
AWPS, Villupuram,
Villupuram District.
(Crime No.110 of 2025)

... Respondent

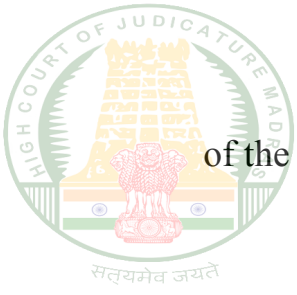
Prayer:- Criminal Original Petition filed under Section 482 of BNSS, 2023, to enlarge the petitioner on bail in the event of his arrest in Crime No.110 of 2025 on the file of AWPS, Villupuram pending investigation by the respondent police.

For Petitioner : Mr.T.Dhasarathan

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

ORDER

The petitioner, who apprehends arrest for the alleged offence punishable under Sections 5(n), 5(j), 5(j)(ii) and 6 of the Protection of Children from Sexual Offences Act, 2012 (POCSO), in Crime No.110 of 2025 on the file



of the respondent police, seeks anticipatory bail.

2. The case of prosecution is that on 29.08.2025 at about 18.30 pm, the

Sub Inspector of Police, R.Thamayanthi received an Intimation from the Government Medical College Hospital, Mundiampakkam, Villupuram and had gone there and on enquiry with a 17 year old in-patient and on verification of her age, the certificate was obtained on 02.09.2025 that her age was 17 years old. In furtherance of enquiry with her, she gave statement that her date of birth was 12.10.2007, she completed her 12th standard in 2024 to 2025 at Kanai Government Higher Secondary School and studying her Nursing Course at Sevaikarantal College, Villupuram. She got acquaintance with her paternal uncle, the petitioner herein, and they loved each other for the past one year and on 11.06.2025 when there is none in her house, the petitioner had come there and promised that he would marry her and subsequently both of them had sexual intercourse and later on 17.06.2025 and when there was no one in her house, the petitioner had used to come and had sexual intercourse. When she got pain in her stomach, she was admitted in the Hospital and diagnosed that she was pregnant and was aborted and further the police enquired and hence this complaint.

3. The learned counsel appearing for petitioner submitted that the petitioner has not committed any offence as alleged by the prosecution and he



has been falsely implicated in this case. Hence, he prays for grant of anticipatory bail.

WEB COPY 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. Considering the facts and circumstances, the petitioner and the victim girl are close relatives and the investigation is almost completed, 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 Special Court for POCSO cases at Villupuram*, 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



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Crl.O.P.No.2688



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 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;

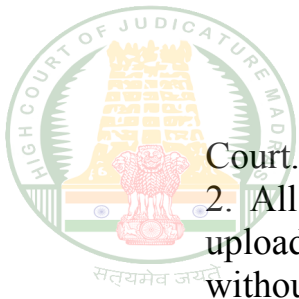
(f) if the accused thereafter absconds, a fresh FIR can be registered under Section 269 of B.N.S.

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

- 1.The Special Court for POCSO at Villupuram.
- 2.The Inspector of Police,
AWPS, Villupuram,
Villupuram District.
- 3.The Public Prosecutor,
High Court, Madras.

K. RAJASEKAR, J.

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