



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 27.10.2025

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THE HONOURABLE MR. JUSTICE K.RAJASEKAR

Crl.O.P.No.29122 of 2025

Siva

... Petitioner

Vs.

State represented by
The Inspector of Police,
Thalavai Police Station,
Ariyalur District.

Crime No.91 of 2025

... Respondent

PRAYER : Criminal Original Petition filed under Section 482 of Bharatiya
Nagarik Suraksha Sanhita, to enlarge the petitioner on anticipatory bail in the
event of his arrest in Crime No.91 of 2025 on the file of the respondent
police.

For Petitioner : Mr.Govindaraj Loganathan
For Respondent : Mr.S.Udayakumar,
Government Advocate (Crl.side)

ORDER

The petitioner herein apprehend arrest at the hands of the respondent police for the offences punishable under Sections 11(iv), 12, 17 of the POCSO Act, 2012 and Section 351(2) of BNS, 2023, in Crime No.91 of 2025, on the file of the respondent Police, seeks anticipatory bail.

2. The case of the prosecution is that the petitioner/accused has stalked the victim developed relationship with her, taking advantage of her age, committed sexual assault and also threatened the victim. Due to the threat of



the accused, this victim is not able to continue her studies and she has left the school and discontinued her studies. Hence the case.

3. The learned counsel for the petitioner would submit that the petitioner is an innocent person, and the petitioner has been falsely implicated in this case; and that the custodial interrogation of the petitioner is not necessary in this case and hence, prayed for anticipatory bail to the petitioner.

4. The learned Government Advocate (Crl.Side) appearing for the respondent police reiterated the prosecution case, submitted that the statement of the victim girl was also recorded and produced the same. Hence, he opposed for grant of anticipatory bail to the petitioner.

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

6. I have perused the statement of victim, and also the fact that it is not the case of penetrative sexual assault, considering the age of the petitioner and other circumstances of the case, I am of the view that custodial interrogation of the petitioner is not necessary, 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



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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, Ariyalur**, 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] 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 stay at Tiruppur and report before the concerned trial Court for a period of four weeks and thereafter, before the respondent police as and when required for interrogation;

K.RAJASEKAR, J.

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[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.

27.10.2025

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To

1. The Fast Track Mahila Court, Ariyalur.
2. The Inspector of Police,
Thalavai Police Station,
Ariyalur District.
3. The Public Prosecutor,
High Court of Madras.

Crl.O.P.No.29122 of 2025