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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 29.10.2025

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THE HONOURABLE MR. JUSTICE K.RAJASEKAR

Crl.O.P.No.29300 of 2025

Pandian

... Petitioner

Vs.

State, Rep. by
The Inspector of Police,
H-3 Thirunavalur Police Station,
Kallakurichi District.
Crime No.559 of 2025

... Respondent

PRAYER : Criminal Original Petition filed under Section 482 of Bharatiya Nagarik Suraksha Sanhita, 2023, to enlarge the petitioner on anticipatory bail in the event of his arrest in Crime No.559 of 2025 on the file of the respondent police.

For Petitioner : Mr.Abdul Kareem

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 Section 75(1) of BNS, in Crime No.559 of 2025, on the file of the respondent Police, seeks anticipatory bail.



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2. The case of the prosecution is that on 03.10.2025, the petitioner has attempted commit sexual assault against the mentally challenged victim girl aged about 19 years. Hence the case.

3. Pleading innocence on the part of the petitioner, false implication in the case, learned counsel for the petitioner seeks indulgence of this Court. He would further submit that, due to previous enmity, false complaint has been given and he is ready to abide by any stringent condition that may be imposed by this Court.

4. The learned Government Advocate (Crl.Side) appearing for the respondent police would submit that the petitioner is aged about 41 years and the victim girl is aged about 19 years. Petitioner committed penetrative sexual assault against the victim girl and the statement of the victim girl was also recorded. He would further submit that the investigation is still pending.

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

6. I have also gone through the statements and FIR concerned with this case, it revealed that, it is not the case of penetrative assault, further it is alleged that he took her in car and attempted to commit sexual assault, 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 ten days from the date of receipt of a copy of this order, before the learned **Judicial Magistrate No.2, Uzhunthurpettai**, on condition that the petitioner shall execute a bond for a sum of **Rs.20,000/- (Rupees Twenty 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 report before the respondent police daily at 10.30 a.m., for a period of two weeks and thereafter as and when required for interrogation;



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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.

29.10.2025

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To

1. The Judicial Magistrate No.2, Uzhunthurpettai.
2. The Inspector of Police,
H-3 Thirunavalur Police Station,
Kallakurichi District.
3. The Public Prosecutor,
High Court of Madras.

Crl.O.P.No.29300 of 2025