



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 05.11.2025

CORAM

THE HONOURABLE MR. JUSTICE K.RAJASEKAR

Crl.O.P.No.30142 of 2025

V.Dinesh

... Petitioner

Vs.

State rep. by,
Station House Officer,
Mettupalayam Police Station,
Puducherry.

Crime No.194 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.194 of 2025 on the file of the respondent
police.

For Petitioner : Mr.E.V.Chandru

For Intervenor : Mr.A.Murugavel

For Respondent : Mr.K.S.Mohandass,
Public Prosecutor (Puducherry)

ORDER

The petitioner herein apprehend arrest at the hands of the respondent



police for the offences punishable under Sections 10 of Protection of Children from Sexual Offence Act, 2012, in Crime No.194 of 2025, on the file of the respondent Police, seeks anticipatory bail.

2. The allegation against the petitioner is that one year ago, victim girl while she was aged about 17 years, she used to talk with petitioner who was a college student, and petitioner used to touch her inappropriately and kissed her. Further he collected huge quantity of gold jewels from her, without her parents knowledge and same was not returned. When she demanded back, it was not returned, hence she informed the same to family members. Hence the complaint.

3. The learned counsel for the petitioner submitted that, petitioner is innocent person and due to previous enmity, false complaint has been given by the defacto complainant. Thus, he prayed for grant of anticipatory bail to the petitioner.

4. The learned counsel for the Intervenor submitted that this is a case of



sexual assault on the victim girl, and that her statement has not yet been recorded. Since the investigation is still pending, he opposed to grant bail to the petitioner.

5. The learned Government Advocate (Crl.Side) appearing for the respondent police submitted that there is no recovery of gold jewellery from the petitioner and that the investigation is not been completed. He would further submit that the petitioner committed sexual assault on the victim girl. However, he opposed for grant of bail to the petitioner.

6. Considering the facts that alleged sexual assault taken place one year ago, it is also stated that petitioner herein also college student and both victim and petitioners were close friends from their school days, and also the fact that it is not a case of penetrative 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 fifteen days from the



date of receipt of a copy of this order, before the learned **Fast Track POCSO Court, Puducherry**, on condition that the petitioners 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 report before the respondent police on every Saturday and Sunday at 10.30.a.m., for a period of three weeks and thereafter as and when required for interrogation;



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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.

05.11.2025

kmm

To

1. The Station House Officer,
Mettupalayam Police Station,
Puducherry.

2. The Public Prosecutor,
High Court of Madras.



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K.RAJASEKAR, J.

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