



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 25-11-2025

CORAM

THE HONOURABLE MR.JUSTICE K.RAJASEKAR

CRL OP No. 30951 of 2025

BALAMURUGAN

Petitioner(s)

Vs

State Rep. By,
The Inspector of Police, All Women
Police Station, Avadi, Avadi
Commissionerate, Crime No.45 of 2025

Respondent(s)

PRAYER Criminal Original Petition filed under Section 482 of B.N.S.S., to enlarge the petitioner on Anticipatory Bail in the event of her arrest pending investigation in Crime No. 45 of 2025 on the file of the respondent.

For Petitioner(s): Mr.T Muruganantham

For Respondent(s): Mr.S.Udaya Kumar,
Government Advocate (Crl. Side)

ORDER

The petitioner, who apprehends arrest by the respondent police for the offences punishable under Sections 5(n), 7 r/w 8 of POCSO Act, in Crime No. 45 of 2025 seeks anticipatory bail.



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2. The case of the prosecution is that the petitioner who is the step father of the victim child, who is aged 17 years, had committed sexual assault on her. Hence, the case.

3. The learned Counsel for the petitioner would submit that the petitioner is an innocent and he has been falsely implicated in this case. He would submit that the petitioner was living together with the mother of the victim girl and that there was some dispute between them and thereby, he has been falsely implicated in this case. Hence, he prays for grant of anticipatory bail to the petitioner.

4.The learned Government Advocate (Crl.Side) reported that the petitioner by taking advantage of the loneliness of the victim girl attempted to commit sexual assault. He further submitted that investigation in this case is pending. Hence, he opposed for the grant of anticipatory bail to the petitioner.

5.This Court has gone through the statement of the victim girl and it reveals that it is not the case of penetrative sexual assault and the statement also reveals that the petitioner attempted to touch her inappropriately and considering the age of the petitioner and though the investigation in this case is



pending, this Court is inclined to grant anticipatory bail to the petitioner, subject to certain conditions.

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6. Accordingly, the petitioner is ordered to be released on anticipatory 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 No.I, Thiruvallur*, 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 respondent police or the police officer who intends to arrest or to the satisfaction of the learned Magistrate concerned and on further condition that:

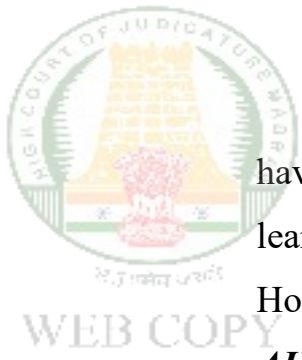
(a) the sureties shall affix their photographs and left thumb impression in the surety bond and the Magistrate may obtain a copy of their Aadhar card or Bank pass Book to ensure their identity;

(b) the petitioner shall report before the respondent police, everyday at 10.30 a.m., for a period of three weeks and thereafter as and when required for interrogation;

(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.

25-11-2025

gbi

Index:Yes/No

Speaking/Non-speaking order

Internet:Yes

Neutral Citation:Yes/No



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To

- 1.State Rep. By,
The Inspector of Police, All Women
Police Station, Avadi, Avadi
Commissionerate, Crime No.45 of 2025
- 2.The Judicial Magistrate No.1,
Thiruvallur.
- 3.The Public Prosecutor,
High Court of Madras.



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K.RAJASEKAR J.
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