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CRL OP No. 35778 of 2025



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 30-12-2025

CORAM

THE HONOURABLE MR.JUSTICE P. DHANABAL

CRL OP No. 35778 of 2025

Kalaivanan
S/o. Pugazhenth,
No.41, Amman kovil Street,
Manancheri, Kundrathur,
Kanchipuram District - 600 069.

Petitioner(s)

Vs

1. State Rep.by,
The Inspector of Police,
W2, All Women Police Station,
Pallavaram Police Station,
Chengalpattu District.
Cr.No.Not Known of 2025.

Respondent(s)

PRAYER: The criminal original petition filed under Section 482 of BNSS to enlarge the petitioner on Anticipatory bail in the event of the arrest by the respondent Police, W2, All Women Police Station, Pallavaram, Chengalpattu District for an alleged offence under Section 11(1), 12 of POCSO Act in crime No.Not known of 2025 in the interest of justice.

For Petitioner

Mr.Raj S

For Respondent

Mr.S.Udaya Kumar
Govt. Advocate (Crl.Side)



ORDER

The petitioner / Accused, who apprehends arrest in the hands of the respondent police for the offences punishable under Sections 11(1), 12 of POCSO Act in connection with the case in Crime No. Not known of 2025, seeks anticipatory bail.

2. Initially, when the criminal original petition has been filed without assigning the crime number, now the learned Govt. Advocate stated that FIR has been registered for offences under Sections 11(1) and 12 of Protection of Child From Sexual Offences Act, 2012, in Crime No. 44 of 2025 and produced the copy of the FIR.

3. The case of the prosecution is that when the petitioner works as a car driver, the daughter of the complainant aged about 16 years was sexually harassed and further he attempted to molest the minor girl in his car.

4. The learned counsel for the petitioner would contend that the petitioner is an innocent and the residence of Chennai City and will not escape from the process of law if the petitioner enlarged on an anticipatory bail. This is the first anticipatory bail petition, hence, prayed to grant anticipatory bail to the petitioner.



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5. Per contra, the learned Government Advocate (Criminal Side) would submit that the petitioner has sexually harassed the victim girl, who is aged about 16 years and he has no previous case. He further submitted that in view of the serious nature of the allegations, the petitioner is not entitled to get the relief of anticipatory bail.

6. Heard the learned counsel for the petitioner and the learned Government Advocate (Crl.Side) for the respondent police and perused the materials available on record.

7. Considering the nature of offences alleged and the fact that the statement of the victim girl has already been recorded, this Court has perused the statement of the victim girl recorded under Section 183 of the BNSS and no previous case is pending against the petitioner, this Court is inclined to grant anticipatory bail to the petitioner subject to the following conditions.

8. 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 on which the order copy made ready, before the learned **Sessions Judge, Special Court for Exclusive Trial of case under POCSO Act, Chengalpattu**



on condition that the petitioner shall execute a bond for a sum of **Rs.10,000/- (Rupees Ten 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, failing which, the petition for anticipatory bail shall stand dismissed and on further conditions that:

[a] the petitioner and 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 thirty days.**

[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].

[f] If the accused thereafter abscond, a fresh FIR can be registered under Section 269 B.N.S.

30-12-2025

Index: Yes/No
Speaking/Non-speaking order
Internet: Yes
Neutral Citation: Yes/No
sms/srm

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 official website of this Court will be watermarked and will also have a QR code.

To

1. The Sessions Judge,
Special Court for Exclusive Trial of case
under POCSO Act, Chengalpattu.
2. The Inspector of Police,
W2, All Women Police Station,
Pallavaram Police Station,
Chengalpattu District.
3. The Public Prosecutor, High Court, Madras.



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P.DHANABAL J.

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