



CRL OP(MD). No.704 of 2025

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 21.03.2025

PRESENT

THE HONOURABLE MR. JUSTICE R. SAKTHIVEL

CRL OP(MD). No.704 of 2025

S.Isak Daniel Seviyarraj

... Petitioner/ Accused No.1

Vs

The State of Tamil Nadu,
Rep by the Inspector of Police,
Samaiya Nallur All Women Police Station,
Madurai.
Crime No.32 of 2024

... Respondent/ Complainant

For Petitioner : Mr.M.Arul

For Respondent : Mr.K.Sanjai Gandhi,
Government Advocate (Crl.Side)

PETITION FOR ANTICIPATORY BAIL Under Sec.482 of BNSS, 2023

PRAYER :-

For Anticipatory Bail in Crime No.32 of 2024 on the file of the respondent-police.

ORDER : The Court made the following order :-



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This Criminal Original Petition has been filed by the petitioner on 09.01.2025 under Section 482 of Bharatiya Nagarik Suraksha Sanhita (BNSS), 2023, praying to grant an order of pre-arrest bail.

2. The petitioner apprehends arrest at the hands of the respondent-police for the offences punishable under Sections 5(l), 5(j) and 6 of Protection of Children from Sexual Offences Act, 2012 in Crime No.32 of 2024 on the file of the respondent-police.

3. The case of the prosecution is that the petitioner is a cousin of the victim girl, who is studying 10th standard and due to the petitioner, the victim girl got conceived. Hence, the case.

4. Mr.M.Arul, learned counsel appearing for the petitioner submits that the petitioner did not commit any offence as alleged by the prosecution and a false case has been foisted against him. He however submits that the petitioner is ready to abide by any conditions to be imposed by this Court. Hence, he prays for grant of pre-arrest bail to the petitioner.

5. Per contra, Mr.K.Sanjai Gandhi, learned Government Advocate (Crl.Side) appearing for the respondent-police, submits that though charge sheet filed in Special S.C.No.48 of 2025 on the file of the Special Court for trial of cases under POCSO Act, Madurai, in this case, they are awaiting DNA Report. Therefore, he prays to dismiss this Criminal Original Petition.



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6. Heard on both sides. This Court has perused the records.

7. It appears that the prosecuting agency is awaiting DNA Report. In view of the facts and circumstances, this Court is of the view that if pre-arrest bail is granted to the petitioner, he will cause threat to the victim and her family members. In view of the same, this Court is not inclined to grant pre-arrest bail to the petitioner.

8. Accordingly, this Criminal Original Petition is dismissed.

sd/-
21/03/2025

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/04/2025
Sub-Assistant Registrar (C.S. I / II / III / IV)
Madurai Bench of Madras High Court,
Madurai - 625 023.

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TO

1 THE INSPECTOR OF POLICE,
SAMAIYA NALLUR ALL WOMEN POLICE STATION,
MADURAI.

2 THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.

ORDER
IN
CRL OP(MD) No.704 of 2025
Date :21/03/2025

HPS/SAR / 09.04.2025/3P/3C

Madurai Bench of Madras High Court is issuing certified copies in this format from 17/07/2023.