



CRL OP(MD). No.1149 of 2025

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT
(Criminal Jurisdiction)

Date : 21.02.2025

PRESENT

THE HONOURABLE MR. JUSTICE R. SAKTHIVEL

CRL OP(MD). No.1149 of 2025

Mano

... Petitioner/Sole Accused

Vs

The State of Tamil Nadu,
Rep by the Inspector of Police,
Thathaiyengar Pettai Police Station,
Trichy District.
Crime No.189 of 2024

... Respondent/Complainant

For Petitioner : Mr.S.Ramakrishnan

For Respondent : Mr.S.S.Manoj,
Government Advocate (Crl.Side)

PETITION FOR ANTICIPATORY BAIL Under Sec.482 of BNSS

PRAYER :-For Anticipatory Bail in Crime No.189 of 2024 on the file of the respondent-police.

ORDER : The Court made the following order :-

This Criminal Original Petition has been filed by the petitioner on 21.01.2025 under Section 482 of Bharatiya Nagarik Suraksha Sanhita (BNSS) praying to grant



CRL OP(MD). No.1149 of 2025

an order of pre-arrest bail.

WEB COPY

2. The petitioner apprehends arrest at the hands of the respondent-police for the offences punishable under Section 87 of Bharatiya Nyaya Sanhita (BNS), 2023 and Sections 7 and 8 of Protection of Children from Sexual Offences Act, 2012 in Crime No.189 of 2024 on the file of the respondent-police.

3. The case of the prosecution is that on 25.12.2024, at about 06.00 p.m., when the defacto complainant went to the market and returned home, her girl child aged about 13 years was missing from home. On enquiry, it was found that the petitioner and the victim girl loved each other and eloped together. Hence, the case.

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

5. Per contra, Mr.S.S.Manoj, learned Government Advocate (Crl.Side) appearing for the respondent-police, submits that the Statement of the victim under Section 183 of BNSS, 2023 has been recorded. He further submits that if the pre-arrest bail is granted to the petitioner, he may commit the similar offence again. Hence, he prays to dismiss the Criminal Original Petition.



CRL OP(MD). No.1149 of 2025

WEB COPY

6. Heard on both sides. This Court has perused the records including the First Information Report and the Statement of the victim recorded under Section 183 of BNSS, 2023.

7. Considering the facts and circumstances of the case and in view of the state of the victim girl, this Court is of the view that the custodial interrogation of the petitioner may not be necessary for the investigation agency in this case. Considering the same and with a view to give an opportunity to the petitioner to reform himself, this Court is inclined to grant an order of pre-arrest bail to the petitioner subject to the following conditions:

(i) The petitioner shall be released on bail in the event of his arrest or in the event of his surrender before the learned Judicial Magistrate, Thuraiyur, Trichy District, within a period of 15 days from the date on which the order copy is made ready, on executing a bond for a sum of Rs.10,000/- (Rupees Ten Thousand only) along with two sureties each for a like sum of Rs.10,000/- (Rupees Ten Thousand only) to the satisfaction of the learned Judicial Magistrate, Thuraiyur, Trichy District. Among two sureties one shall be a blood surety;

(ii) The sureties shall affix their photographs and left thumb impression in the Application for Suretyship [Judicial Form No.46 annexed to 'The Criminal Rules of



CRL OP(MD). No.1149 of 2025

Practice, 2019']. The learned Judicial Magistrate shall obtain a copy of any one of
WEB COPY
identity proofs to ensure their identity;

(iii) The petitioner shall make himself available for interrogation by a police officer as and when required;

(iv) The petitioner shall not, directly or indirectly, make any inducement, threat or promise to any person acquainted with the facts of the case so as to dissuade him from disclosing such facts to the Court or to any police officer;

(v) The petitioner shall not leave India without the previous permission of the Court;

(vi) Thereafter, the petitioner shall appear and sign before the respondent-Police daily at 09.00 a.m. and 05.00 p.m. until further orders;

(vii) The petitioner shall furnish his residential address and mobile number to the learned Judicial Magistrate, Thuraiyur, Trichy District;

(viii) The petitioner shall not enter into the defacto complainant's house or workplace;

(ix) The petitioner shall not try to contact the defacto complainant or the victim girl either directly or through any electronic mode;

(x) The petitioner shall not, directly or indirectly, cause any threat to the defacto complainant, victim girl and witnesses and shall not tamper the evidence;



CRL OP(MD). No.1149 of 2025

WEB COPY

(xi) On breach of any of the aforementioned conditions, concerned Magistrate, or Trial Court as the case may be, is entitled to pass appropriate orders against the petitioner in accordance with law as if the aforementioned conditions are imposed by them as laid down by the Hon'ble Supreme Court in P.K. Shaji vs. State of Kerala [(2005) 13 SCC 283].

8. Accordingly, this Criminal Original Petition is allowed subject to the conditions stated supra.

sd/-
21/02/2025

/ TRUE COPY /

/03/2025
Sub-Assistant Registrar
(C.S. I / II / III / IV)
Madurai Bench of Madras High Court,
Madurai - 625 023.

TO

1 THE JUDICIAL MAGISTRATE,
THURAIYUR, TRICHY DISTRICT.

2 THE CHIEF JUDICIAL MAGISTRATE
TRICHY DISTRICT.

3 THE INSPECTOR OF POLICE,
THATHAIYANAGAR PETTAI POLICE STATION,
TRICHY DISTRICT.

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

<https://www.hmc.tn.gov.in/judis>



CRL OP(MD). No.1149 of 2025

+1 cc to MR.S.RAMAKRISHNAN ADVOCATE, SR NO: 2007

WEB COPY

ORDER

IN

CRL OP(MD) No.1149 of 2025

Date :21/02/2025

mbi

MK/SKN/05.03.2025 6P/6C

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