



CRL OP(MD). No.1258 of 2025

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 23.01.2025

PRESENT

The Hon`ble Mr.Justice N.ANAND VENKATESH

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M.Amalraj

... Petitioner / Accused No.2

Vs

The State of Tamil Nadu
Represented by
The Inspector of Police,
All Women Police Station,
Thoothukudi District.
(Crime No.04 of 2025)

... Respondent

For Petitioner : M/s. Aayiram K.Selvakumar
Advocate

For Respondent : Mr.B.Thanga Aravindh
Government Advocate
(Criminal Side)

PETITION FOR ANTICIPATORY BAIL Under Sec.482 of BNSS Act.

PRAYER :-

For Anticipatory Bail in Crime No. 04 of 2025 on the file of the respondent police.

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



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ORDER : The Court made the following order :-

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The petitioner, who apprehends arrest at the hands of the respondent police for the alleged offences under Sections 5(1) read with Section 6 & 19 read with 21(2) POCSO Act in Crime No.04 of 2025 on the file of the respondent police, seeks anticipatory bail.

2. The case of the prosecution is that, A1 is said to have committed sexual assault against four victims, who were the students studying in the school and this sexual assault is said to have taken place in the private tuition centre. Insofar as the petitioner is concerned, he is the Head Master of the School and the allegation is that, petitioner did not take appropriate action against A1 after having known about the incident.

3. This Court carefully went through the statement recorded from the children under Section 183 of BNSS. The entire allegations are as against A1.

4. Heard the learned counsel on either side and perused the material records of the case.



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5. Taking into consideration the facts and circumstances of the case and considering the fact that the allegation against the petitioner is dereliction of duty for not having taken action against A1 and nothing more, this Court is inclined to grant anticipatory bail to the petitioner with certain conditions.

6. 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 on Special Court for POCSO Cases, Thoothukudi 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 condition 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 as and when



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required for interrogation.

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[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 absconds, a fresh FIR can be registered under Section 269 of BNS, 2023.

sd/-
23/01/2025

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/01/2025
Sub-Assistant Registrar (CS-I/II/III/IV)
Madurai Bench of Madras High Court,
Madurai - 625 023.

sma

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TO
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1. THE JUDGE, SPECIAL COURT FOR POCSO CASES, THOOTHUKUDI
2. THE INSPECTOR OF POLICE,
ALL WOMEN POLICE STATION,
THOOTHUKUDI DISTRICT.
3. THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT,
MADURAI.

+1 CC to M/s.AAYIRAM K.SELVAKUMAR, Advocate (SR-894[I] dated 27/01/2025)

ORDER
IN
CRL OP(MD) No.1258 of 2025
Date :23/01/2025

RK/SKN (29/01/2025) 5P / 5C

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