



CRL OP(MD). No.1608 of 2025

WEB COPY BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 28.01.2025

PRESENT

The Hon`ble Mr.Justice N.ANAND VENKATESH

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P.Sanjivi

... Petitioner / Accused No.3

Vs

The State of Tamil Nadu
Represented by the Inspector of Police,
Batlagundu Police Station,
Dindigul District.
(Crime No.440 of 2024)

... Respondent/ Complainant

For Petitioner : Mr.S.Arokiya Selva Ramesh, 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. 440 of 2024 on the file of the respondent police.



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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 Girl Missing and subsequently, the above said offences were altered into 87 of BNS and Sections 5(1) r/w. 6, 17 of POCSO Act, in Crime No.440 of 2024 on the file of the respondent police, seeks anticipatory bail.

2. The case of the prosecution is that A1 developed a love affair with the victim girl and had committed penetrative sexual assault. A2 is the father and A3 is the mother. The petitioner is arrayed as A3.

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

4. Taking into consideration the facts and circumstances of the case and considering the statement that has been recorded from the victim girl under Section 183(5) of BNSS and also taking note of the fact that A1 and A2 were arrested and enlarged on bail and the investigation is almost complete, this Court is inclined to grant anticipatory bail to the petitioner with certain conditions.

5. 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 Special Court for Exclusive Trial of Cases under POCSO Act, Dindigul East, on condition that the petitioner shall



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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:

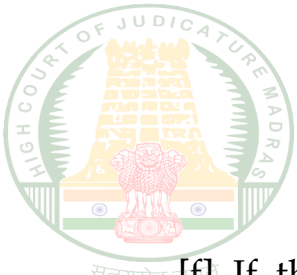
[a] the petitioner and the sureties shall affix their photographs and Left Thumb Impression in the surety bond and the Magistrate may obtain a copy of their Aadhar card or Bank Pass Book to ensure their identity.

[b] the petitioner shall appear before the respondent police 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].



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[f] If the accused thereafter absconds, a fresh FIR can be registered under
Section 269 of BNS, 2023.

sd/-
28/01/2025

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/02/2025
Sub-Assistant Registrar
(C.S.I /II /III /IV)
Madurai Bench of Madras High Court,
Madurai - 625 023.

PAL

To

1.The Judge,
Special Court for Exclusive Trial of Cases under POCSO Act,
Dindigul East.

2.The Inspector of Police,
Batlagundu Police Station,
Dindigul District.

3.The Additional Public Prosecutor,
Madurai Bench of Madras High Court, Madurai.

+1 CC to M/s.S.AROKIYA SELVA RAMESH, Advocate (SR-1054[I] dated
29/01/2025)

ORDER
IN
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Date :28/01/2025



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ED/ SKN /SAR- (10/02/2025) 5P / 5C

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