



CRL OP(MD). No.3946 of 2025

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 11/03/2025

PRESENT

THE HONOURABLE MR. JUSTICE R. SAKTHIVEL

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Andrew

... Petitioner/ Sole accused

Vs

The State of Tamilnadu,
Rep by the Inspector of Police,
All Women Police Station,
Thiruvadanai,
Ramanathapuram District.
Crime No.03/2025.

... Respondent/Complainant

For Petitioner : Mr. B.Mahendrarajan,
Advocate.

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

PETITION FOR ANTICIPATORY BAIL Under Sec.482 of BNSS

PRAYER :-

C-58AB For Anticipatory Bail in Crime No.03/2025 on the file of the Respondent-Police.



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ORDER : The Court made the following order :-

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This Criminal Original Petition has been filed by the petitioner on 27.02.2025 under Section 482 of the Bharatiya Nagarik Suraksha Sanhita (BNSS), 2023, praying to grant an order of pre-arrest bail.

2. The petitioner / sole accused apprehends arrest at the hands of the respondent-police for the offences punishable under Sections 9(f) r/w. 10 of the Protection of Child from Sexual Offence Act, 2012, in Crime No.3 of 2025 on the file of the respondent-police.

3. The case of the prosecution is that on 25.01.2025, one of the student in the Chozhakanpettai Government School complained about the petitioner / accused persons, who is working as a Teacher in the said school, with the another school teacher that he made a physical touch upon the student with bad intention. Based on same, the said school teacher made a complaint against the accused persons to the respondent-Police. Hence, the case.

4. Mr.B.Mahendrarajan, the learned counsel for the petitioner, submits that the petitioner is an innocent person, he has not committed any offence as alleged by the prosecution and he has been falsely implicated in this case. He further submits that the petitioner is aged about 54 years, and he is a reputed teacher in the said school and that only with an ulterior motive a, false complaint has been lodged against the



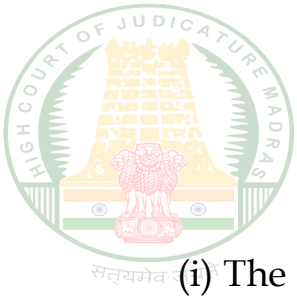
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petitioner. He however submits that the petitioner is ready to abide by any conditions to be imposed by this Court. He therefore prays for grant of pre-arrest bail to the petitioner.

5. Per contra, Mr.K.Sanjai Gandhi, the learned Government Advocate (Criminal Side) appearing for the respondent-police, submits that the statement of the victim girl was recorded by the Judicial Magistrate. In view of the statement of victim girl, he strongly opposes to grant an order of pre-arrest bail to the petitioner. He further submits that the investigation of the case is still pending and therefore, at this stage of investigation, if the pre-arrest bail is granted to the petitioner, he may cause threat to the defacto complainant, victim girl and witnesses. Accordingly, he prays to dismiss this Criminal Original Petition.

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

7. This Court has considered the age of the petitioner and the statement of the victim and also the nature of offence committed by the petitioner. The petitioner has permanent residence and deep roots in the society, and therefore, there is less possibility for absconding. Considering the same, and also considering the facts and circumstances of the case, 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.



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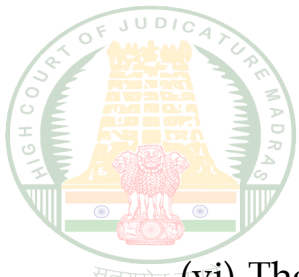
(i) The petitioner shall be released on pre-arrest bail in the event of his arrest or in the event of his surrender before the learned Mahila Judge, Ramanathapuram District within a period of 15 days from date on which the order copy is made ready, on executing a bond for a sum of Rs.25,000/- (Rupees Twenty Five Thousand only) along with two sureties each for a like sum of Rs.25,000/- (Rupees Twenty Five Thousand only) to the satisfaction of the learned Mahila Judge, Ramanathapuram District

(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 Practice, 2019']. The learned Mahila Judge, Ramanathapuram District, shall obtain a copy of any one of identity proofs to ensure their identity.

(iii) The petitioner shall appear and sign before the Inspector of Police, SP Pattinam Police Station, Ramanathapuram District daily at 10.00 am until further orders.

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

(v) 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.



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Court.

(vi) The petitioner shall not leave India without the previous permission of the Court.

(vii) The petitioner shall not directly or indirectly cause any threat to the defacto complainant and tamper with the evidence.

(viii) The petitioner should not enter into Thiruvadanai Taluk until further orders.

(ix) The petitioner shall furnish his residential address and mobile number to the learned Mahila Judge, Ramanathapuram District

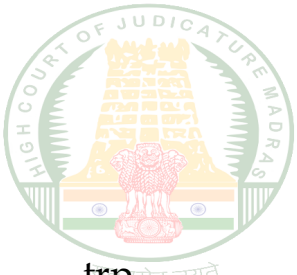
(x) On breach of any of the aforementioned conditions, the learned Mahila Judge, Ramanathapuram District is entitled to pass appropriate orders against the petitioner in accordance with law as if the aforementioned conditions are imposed by him as laid down by the Hon'ble Supreme Court in P.K. Shaji vs. State of Kerala [(2005) 13 SCC 283].

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

sd/-
11/03/2025

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



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trp
TO
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- 1 THE MAHILA JUDGE
RAMANATHAPURAM DISTRICT.
- 2 THE INSPECTOR OF POLICE,
ALL WOMEN POLICE STATION,
THIRUVADANAI,
RAMANATHAPURAM DISTRICT.
- 3 THE INSPECTOR OF POLICE
S.P. PATTINAM POLICE STATION,
RAMANATHAPURAM DISTRICT.
- 4 THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.

ORDER
IN
CRL OP(MD) No.3946 of 2025
Date :11/03/2025

HPS/SAR / 27.03.2025/6P/5C

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