



CRL OP(MD). No.7158 of 2025

WEB COPY BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 28/04/2025

PRESENT

THE HONOURABLE MR. JUSTICE P. DHANABAL

CRL OP(MD). No.7158 of 2025

Hariharan

... Petitioner

Vs

The State of Tamilnadu,
Rep by
The Inspector of Police,
Thiruvadanai All Women Police Station
Ramnad

... Respondent/Complainant

For Petitioner : Mr.B.Mahendrarajan,
Advocate.

For Respondent : Mr.M.Sakthi Kumar,
Government Advocate (Crl.Side)

PETITION FOR ANTICIPATORY BAIL Under Sec.482 of BNSS

PRAYER :-

For Anticipatory Bail in Crime No.4/2025 on the file of the respondent Police.



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ORDER: The Court made the following order :-

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The petitioner/Accused, who apprehends arrest at the hands of the respondent police for the offences punishable under sections 5(l) r/w.6 , 11(5)r/w.10 of POCSO Act, in Crime No.8 of 2025, on the file of the respondent police, seeks anticipatory bail.

2. The case of the prosecution is that the petitioner on false promise of marrying the minor child/victim girl had committed penetrative sexual assault on the victim and the same was also videographed. Hence, the case.

3. The learned counsel appearing for the petitioner would submit that the petitioner is an innocent person and he is no way connected with this crime. He would further submit that both the petitioner and the victim loved each other and the petitioner is none other than the victim girl's maternal uncle, therefore he prays to allow this petition.

4. The learned Government Advocate (Criminal Side) appearing for the respondent Police would submit that petitioner on false promise of marrying the child victim girl had committed penetrative sexual assault on the victim and the



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same was also videographed. The case is under investigation Accordingly, he prays
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to dismiss this petition.

5. Heard both sides and perused the materials available on record.

6. Considering the rival submissions made on either side and already the statement of the victim under Section 183(5) of BNSS was recorded that there was a love affair between the petitioner and the defacto complainant and the alleged occurrence took place four years ago and now after attaining majority the complaint has been lodged by the victim and also considering the facts and circumstances of the case, this Court is inclined to grant anticipatory bail to the petitioner, subject to the following conditions:

7. Accordingly, the petitioner is ordered to be released on bail in the event of arrest or on her appearance, within a period of fifteen (15) days from the date on which the order copy made ready, before the Mahila Court, Ramanathapuram District 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 learned Magistrate concerned and on further condition that:



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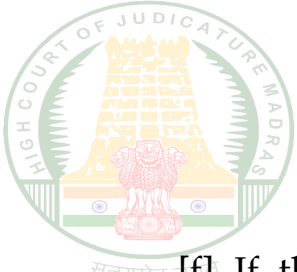
[a] the petitioner shall report before the respondent police daily at 10.30 until further orders.

[b] 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 her from disclosing such facts to the Court or to any police officer or tamper with the evidence;

[c] the petitioner shall not leave India without the previous permission of the Court;

[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 abscond, a fresh FIR can be registered under
Section 269 B.N.S.2023.

sd/-
28/04/2025

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/05/2025
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 Mahila Court,
Ramanathapuram District
2. The Inspector of Police,
Thiruvadanai All Women Police Station
Ramnad
- 3.The Additional Public Prosecutor,
Madurai Bench of Madras High Court, Madurai.

ORDER
IN
CRL OP(MD) No.7158 of 2025
Date :28/04/2025

VN/13.05.2025 5P/4C

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