



CRL OP(MD).No.7227 of 2025

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

Date : 02.07.2025

PRESENT

THE HONOURABLE MR. JUSTICE P. VADAMALAI

CRL OP(MD).No.7227 of 2025

and

CrI.M.P(MD)No.8256 of 2025

S.Meenakshi Sundram

... Petitioner / Accused

Vs.

The State of Tamil Nadu,
Rep. by the Inspector of Police,
All Women Police Station,
Thiruparankundram,
Madurai District.
(Crime No.4 of 2025)

... Respondent / Complainant

PRAYER : Criminal Original Petition filed under Section 482 of the Bharatiya
Nagarik Suraksha Sanhita, 2023 (BNSS) for Anticipatory Bail in Crime No.4 of 2025
on the file of the respondent police.

For Petitioner : Mr.D.Venkatesh,
Advocate

For Respondent : Mr.S.Prakash,
Government Advocate (Criminal Side)

For Intervenor : Mr.S.Murugapandi
Advocate



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W/ORDER The Court made the following order :-

The petitioner, who apprehend arrest at the hands of the respondent police for the offences punishable under Sections 9(1)(m), 9(1)(n), 10, 7, and 8 of the Protection of Children from Sexual Offences (POCSO) Act, 2012, and Sections 126(2), 296(b), and 351(2) of the Bharatiya Nyaya Sanhita (BNS), 2023, in Crime No.4 of 2025 on the file of the respondent police, seeks anticipatory bail.

2. The case of the prosecution is that the petitioner is alleged to have misbehaved with the defacto complainant's daughter who is aged 11 years old.

3. The learned counsel for the petitioner has submitted that the petitioner is the father-in-law of the defacto complainant, the petitioner conveyed his property to his son Dineshkumar, who is the father of the victim girl, through a registered settlement deed 27.03.2023, however, his son tortured the petitioner by demanding more money & property and also threatened him with dire consequences. Hence, the petitioner lodged a police complaint on 18.11.2024 against his son, who is the husband of the defacto complainant. In the police enquiry, the petitioner's son gave an undertaking that he would not indulge in any dispute with the petitioner. Again, on 05.04.2025, the petitioner's son used filthy words and make a life threat against the petitioner, so the petitioner lodged another police complaint before the



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Thirunagar police station and the same has been registered in Crime No.215 of 2015 for the offence punishable under Sections 126(2), 296(b), and 351(2) of BNS.

Later, the petitioner's son filed a civil suit in O.S.No.65 of 2025 on the file of the Principal District Court, Madurai, against the petitioner and the same is pending. The petitioner has also made public notice through paper publication on 11.04.2025 in 'DINAMALAR' Tamil Daily against the husband of the defacto complainant. The defacto complainant has not denied these facts in her intervening petition.

4.The learned counsel for the petitioner further submitted that as a counter blast on 14.04.2025, the defacto complainant, making use of her daughter, has filed this false complaint, that too on hearsay from her sister, as if the petitioner had made a sexual assault on her daughter. The petitioner is the grandfather of the victim child, who has more love and affection on the child. But, because of previous civil and criminal cases pending between the petitioner and her husband, the defacto complainant filed this false case against the petitioner by making her own daughter as a tool. The petitioner is a senior citizen aged 63 years and former Vice Chairman of Harvipatti Town Panchayat and reputable person in the society and he has not committed any offence as alleged by the prosecution. He is ready to abide by any condition imposed by this Court.



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5. The learned Government Advocate (Criminal Side) would submit that the defacto complainant is none other than the daughter-in-law of the petitioner, and the victim is the petitioner's own grand-daughter. He would further submit that the petitioner subjected the victim girl to sexual harassment. He would also submit that the statement of the victim was recorded under Section 183 of the Bharatiya Nagarik Suraksha Sanhita, 2023. He would also submit that there are no previous cases against the petitioner. However, he opposes the grant of anticipatory bail to the petitioner.

6. The learned counsel for the intervening petitioner would submit that the petitioner is having illegal contact with several women and he also committed sexual assault upon the daughter of the defacto complainant. Hence, he prays for dismissal of this petition.

7. This Court has heard the learned counsel for the petitioner, learned Government Advocate (Crl.side) and the learned counsel for the intervening petitioner and perused the materials available on record.

8. It is seen from the records that the relationship between the parties is not disputed. There were two previous criminal cases registered against the husband of defacto complainant based on complaint lodged by the petitioner on 18.11.2024 and on 11.04.2025 and also one civil suit is pending between them. This present



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complaint against the petitioner is lodged by the defacto complainant on 14.04.2025 by stating that her daughter was sexually attacked by the petitioner during Deepavali, 2024. The complaint was lodged nearly six months after the alleged occurrence. The complaint was lodged by the defacto complainant as she was told so by her sister, which is only hearsay. The allegations levelled by the defacto complainant is only bad touch by petitioner, there is no serious allegations of sexual torture. So, there is prima facie chance to be a counter blast of previous cases lodged by the petitioner against the defacto complainant's husband (i.e) father of the victim girl. The alleged offence could be decided only on evidence by the trial Court after full fledged trial. Since the victim statement was recorded on 28.04.2025, by this time most of the investigation might have been completed and custodial interrogation of the petitioner is not necessary. The petitioner has permanent residence and deep roots in the society and there is no chance for absconding. Considering the above facts and circumstances, this Court is inclined to grant anticipatory bail to the petitioner with conditions.

9. 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 Judicial Magistrate No.VI, Madurai, on condition that the petitioner shall execute a bond for a sum of Rs.25,000/-



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(Rupees Twenty Five 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 Judicial Magistrate No.VI, Madurai, failing which, the petition for anticipatory bail shall stand dismissed and on further condition that:

(a) The sureties shall affix their photographs and Left Thumb Impression in the surety bond and the Judicial Magistrate concerned may obtain a copy of their Aadhar card or Bank Pass Book to ensure their identity; and

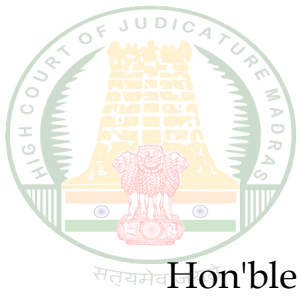
(b) The petitioner shall furnish his residential address and contact number to the learned Judicial Magistrate No.VI, Madurai. If the petitioner change his residential address, he shall report the same to the learned Judicial Magistrate No.VI, Madurai;

(c) The petitioner shall appear and sign before the respondent police daily at 10.00 a.m. until further orders;

(d) The petitioner shall not abscond either during investigation or trial and shall cooperate for the investigation;

(e) The petitioner shall not tamper with evidence or witness either during investigation or trial;

(f) On breach of any of the aforesaid conditions, the learned Judicial Magistrate/Trial Court is entitled to take appropriate action against the petitioner in accordance with law as if the conditions have been imposed and and if there is any violation of condition, the Investigation Officer is within his discretion to approach the Court of the learned Judicial Magistrate, concerned for cancellation of bail as per the ruling of the



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Hon'ble Supreme Court reported in P.K.Shaji/Vs/State of Kerala, (2005)
AIR S.C.W.5560 and;

(g) if the accused/petitioner thereafter abscond, a fresh FIR can be registered under Section 269 of BNS, 2023. Consequently, the connected Miscellaneous Petition is closed.

sd/-
02/07/2025

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/07/2025
Sub-Assistant Registrar
(C.S.I / II / III / IV)
Madurai Bench of Madras High Court,
Madurai - 625 023.

VSD

To

1 THE JUDICIAL MAGISTRATE NO.VI,
MADURAI.

2 THE CHIEF JUDICIAL MAGISTRATE
MADURAI DISTRICT.

3.The Inspector of Police,
All Women Police Station,
Thiruparankundram,
Madurai District.

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

+1 CC to M/s.D.VENKATESH, Advocate (SR-7079[I] dated 03/07/2025)



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ORDER

IN

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Date :02/07/2025

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