



CRL OP(MD)No.8643 of 2025

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

Date : 11/07/2025

PRESENT

THE HONOURABLE MR. JUSTICE P. VADAMALAI

CRL OP(MD)No.8643 of 2025

Manikandan

...Petitioner/Sole Accused

Vs.

The State through
The Inspector of Police,
All Women Police Station,
Sattur,
Virudhunagar District.
(Crime No.23 of 2025)

... Respondent/Complainant

For Petitioner : Mr.E.Mareeshkumar
Advocate

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

PETITION FOR ANTICIPATORY BAIL Under Sec.482 of BNSS

PRAYER :-

For Anticipatory Bail in Crime No.23 of 2025 on the file of the Respondent Police.



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ORDER : The Court made the following order :-

The petitioner/Sole Accused, who apprehends arrest at the hands of the respondent police for the offences punishable under sections 329(1)(2)(4) of BNS Act, r/w 7 and 8 of POCSO Act, in Crime No.23 of 2025 on the file of the respondent police, seeks anticipatory bail.

2. The case of the prosecution is that the petitioner and the defacto complainant are relatives, who loved each other. Subsequently, the petitioner married one Kanagaeswari. However, after the marriage, the petitioner and the defacto complainant continued to communicate and speak. On 09.05.2025 at 2.30 p.m., the petitioner met the defacto complainant at her home and they talked. The mother of the defacto complainant noticed them and shouted the defacto complainant with filthy language. Therefore, the defacto complainant attempted to commit suicide in a small well which is situated in the village of the defacto complainant. Hence, a case has been registered.

3. The learned counsel appearing for the petitioner submits that the defacto complainant is studying 12th Std and the petitioner was already married with one



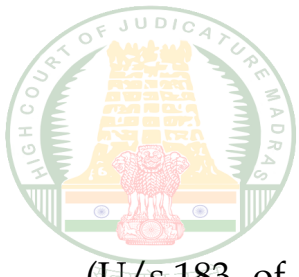
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Kanagaeswari and having one child. The petitioner and the defacto complainant are close relatives and talked to each other and there is no physical touch or relationship that took place in the occurrence place as alleged by the prosecution. He also filed an affidavit of the victim girl stating that no occurrence had taken place as alleged by the prosecution and even in the statement of the victim girl recorded under Section 164 of Cr.P.C. (U/s.183 of BNSS), she did not depose anything about the occurrence. Only because of the misunderstanding of the defacto complainant's mother, the defacto complainant attempted to commit suicide. Hence, he seeks anticipatory bail to the petitioner.

4.The learned Government Advocate (Crl.side) appearing for the respondent police submits that the investigation has been completed and the absconding charge sheet has also been filed in Spl.S.C.No.165 of 2025 before the Special Court for POCSO Act Cases, Srivilliputhur. However, he objected to grant bail to the petitioner.

5.Considering the facts and circumstances of the case, and considering the fact that the investigation has been completed and the charge sheet has also been filed, and also taking note of the fact that the statement of the victim U/s.164 of Cr.P.C



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(U/s.183 of BNSS) has already been recorded, this Court is inclined to grant
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anticipatory bail to the petitioner, subject to 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 Special Court for POCSO Act Cases, Srivilliputhur, on condition that the petitioner shall execute a bond for a sum of **Rs.25,000/- (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 Special Court for POCSO Act Cases, Srivilliputhur, 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 furnish his residential address and contact number to the the learned Sessions Judge, Special Court for POCSO Act Cases, Srivilliputhur. In the event of any change in his residential address, the petitioner shall report the



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same to the the learned Sessions Judge, Special Court for POCSO Act Cases,
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Srivilliputhur;

(c) the petitioner shall appear and sign before the respondent police daily at 10.00 a.m., until further orders except on hearing dates. On hearing date, he shall appear before the trial Court.

(d) the petitioner shall not tamper with evidence or witness either during investigation or trial;

(e) the petitioner shall not abscond either during investigation or trial;

(f) 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]* and;

(g) if the accused/petitioner thereafter abscond, a fresh FIR can be registered



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under Section 269 of BNS, 2023.

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

VSD
TO

- 1.THE SESSIONS JUDGE,
SPECIAL COURT FOR POCSO ACT CASES,
SRIVILLIPUTHUR.
- 2.THE INSPECTOR OF POLICE,
ALL WOMEN POLICE STATION,
SATTUR, VIRUDHUNAGAR DISTRICT.
- 3.THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT,
MADURAI.

ORDER
IN
CRL OP(MD) No.8643 of 2025
Date :11/07/2025

NM/24.07.2025/ 6P/4C

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