



CRL OP(MD). No.9637 of 2025

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

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(Criminal Jurisdiction)

Date : 09/09/2025

PRESENT

The HONOURABLE MRS. JUSTICE S.SRIMATHY

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C.Nirmalkumar

... Petitioner/Accused

Vs

State of Tamilnadu
Rep by the Inspector of Police,
All Women Police Station,
Thirupparankundram,
Madurai District.
(Crime No. 3/2025)

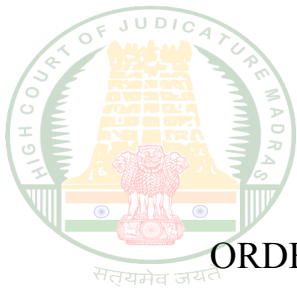
... Respondent/Complainant

For Petitioner : Mr. R.Manickam,
Advocate.

For Respondent : Mr.A.S.Abul Kalaam Azad,
Government Advocate (Crl.Side)

PETITION FOR ANTICIPATORY BAIL Under Sec.482 of BNSS

PRAYER :- For Anticipatory Bail in Crime No. 3 of 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, who apprehends arrest at the hands of the respondent police for the offences punishable under Sections 5(L), 6, 13, 14(1), 15(1) & 17 of POCSO Act, 2012 and Section 65, 67 of Information Technology Act, 2000, in Crime No.3 of 2025 on the file of the respondent police, seeks anticipatory bail.

2. The case of the prosecution is that the first accused and the victim girl were in love with each other and thereafter, the petitioner had sexual intercourse with her. Further, due to some misunderstanding between them and the petitioner is an Advocate by profession and advised both of them. Hence, the complaint.

3. The learned counsel for the petitioner submitted that the petitioner is an innocent person and he has not committed any offences as alleged by the prosecution. He further submitted that the petitioner is ready and willing to abide by any conditions which may be imposed by this Court. Hence, he seeks anticipatory bail to the petitioner.



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4. The learned Government Advocate (Criminal Side) submitted that there is no previous case pending against the petitioner and the investigation is almost completed. However, he opposed for grant of anticipatory bail to the petitioner.

5. Considering the facts and circumstances of the case and also the fact it is love affair also the fact that the investigation has been almost completed, this Court is inclined to grant anticipatory bail to the petitioner, subject to certain conditions.

6. Accordingly, the petitioner is ordered to be released on bail in the event of his arrest or on his appearance, within a period of fifteen days from the date of receipt of a copy of this order, before the learned Mahila Special Court for Exclusive Trial Cases Under POCSO Act, Madurai, 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 respondent Police or to the Police Officer, who intends to arrest or to the satisfaction of the learned Mahila Special Court for Exclusive Trial Cases Under POCSO Act, Madurai ,



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and on further conditions that:

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(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 report 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]*; and;



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(f) if the accused thereafter abscond, a fresh FIR can

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be registered under Section 269 of BNS, 2023.

(S S Y J)
09.09.2025

msrm

To

- 1.The learned Mahila Special Court
For Exclusive Trial Cases Under POCSO Act, Madurai
- 2.The Inspector of Police,
All Women Police Station,
Thirupparankundram,
Madurai District.
3. The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.



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S.SRIMATHY,J

msrm

**ORDER
IN
CRL OP(MD) No.9637 of 2025**

09.09.2025