



CRL OP(MD)No.9970 of 2025

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

Date : 23/07/2025

PRESENT

THE HONOURABLE MR.JUSTICE P.VADAMALAI

CRL OP(MD)No.9970 of 2025

1.Jothipasu,
S/o.Sevakan.

2.Murugapandiyan,
S/o.Murugesan.

: Petitioners/ A1 and A2

Vs.

The state of Tamil Nadu
rep.by the Inspector of Police,
Mallanginar Police Station,
Virudhunagar District.
Crime No.107 of 2025.

Respondent/Complainant

For Petitioners : Mr.N.Mohideen Basha,
Advocate

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

PETITION FOR ANTICIPATORY BAIL Under Sec.482 of BNSS.

PRAYER :-



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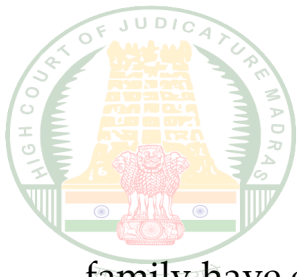
For Anticipatory Bail in Crime No.107 of 2025 on the file of the Respondent Police.

ORDER : The Court made the following order :-

The petitioners, who apprehend arrest at the hands of the respondent police for the offences punishable under Sections 126(2), 296(1), 118(1) of BNS and Section 9(m) and 10 of POCSO Act, in Crime No.107 of 2025 on the file of the respondent police, seek anticipatory bail.

2.The case of the prosecution is that on 29.05.2025 at about 06.00 pm, while the defacto complainant's daughter was walking to the nearby shop, the petitioners allegedly waylaid her, verbally abused her father by using filthy language and also pulled at her clothes. The victim screamed, prompting her grandmother to rush to the scene to intervene. At that time, the first accused attacked the grandmother with a knife, causing her injuries. Thereafter, the victim returned home and narrated the incident. Hence, the complaint.

3. The learned counsel for the petitioners submitted that the petitioners are innocents and they have not committed any offence as alleged by the prosecution. He further submitted that due to previous enmity, the defacto complainant and her



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family have conspired to falsely implicate the petitioners in order to retaliate against them. As per the complainant's version, the incident occurred on 29.05.2025 at around 06:00 pm; but at that time, the petitioner was at his work site, and the CCTV footage is also available to support this. He also submitted that the victim girl has not stated anything against the petitioners in the statement recorded under Section 183 of BNSS. The defacto complainant's husband and his Goondas surrounded the petitioners and also attacked them and the petitioners sustained injuries and taken treatment. The first petitioner has also filed complaints, which have been registered as Crime No. 106 of 2025 and Crime No.8 of 2025.

4.The learned Government Advocate (Criminal Side) for the respondent police submitted that on 29.05.2025 at about 06.00 pm, while the defacto complainant's daughter was walking to the nearby shop, the petitioners allegedly waylaid her, verbally abused her father by using filthy language and also pulled at her clothes, when the same was questioned by her grandmother, the first accused attacked her with knife and caused injuries. He further submitted that the injured was discharged from the hospital. He fairly conceded that the victim did not make any statement regarding the occurrence during her examination before the learned Magistrate under Section 183 of BNSS. The first petitioner has also filed complaints,



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which have been registered as Crime No. 106 of 2025 and Crime No.8 of 2025.

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5. Considering the facts and circumstances of the case and considering the fact that on perusal of statement given by the victim girl under Section 183 BNSS, it is seen that the victim girl admitted that it is a false case and the petitioner's compliant in Crime No.8 of 2025 registered on 28.05.2025 and the defacto complainant's complaint registered on 30.05.2025 and also taking note of the fact that the occurrence had taken place on 29.05.2025, by this time most of the investigation might have been completed, this Court is inclined to grant anticipatory bail to the petitioners, subject to certain conditions.

6. Accordingly, the petitioners are ordered to be released on bail in the event of their arrest or on their appearance, within a period of fifteen days from the date of receipt of a copy of this order, before the Special Sessions Court for Prevention of Sexual offences, Srivilliputhur, on condition that the petitioners shall execute a bond for a sum of Rs.10,000/- (Rupees Ten Thousand only) each 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 Special Sessions Court for Prevention of Sexual offences, Srivilliputhur and on further conditions that:



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(a) the petitioners 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;

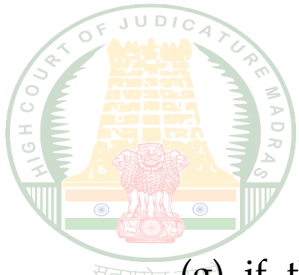
(b) the petitioners shall furnish their residential address and mobile number to the Special Sessions Court for Prevention of Sexual offences, Srivilliputhur. In the event of any change in their residential address, the petitioners shall report the same to the Special Sessions Court for Prevention of Sexual offences, Srivilliputhur;

(c) the petitioners shall report before the respondent police weekly once ie., on every Monday at 10.30 a.m., until further orders;

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

(e) the petitioners 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 petitioners in accordance with law as if the conditions have been imposed and the petitioners 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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(g) if the accused thereafter abscond, a fresh FIR can be registered under
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Section 269 of BNS, 2023.

sd/-
23/07/2025

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/08/2025

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

das

TO

- 1.The Special Sessions Court
for Prevention of Sexual offences,
Srivilliputhu.
- 2.The Inspector of Police,
Mallanginar Police Station,
Virudhunagar District.
- 3.The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.

+1 CC to M/s.N.MOHIDEEN BASHA, Advocate (SR-7943[I] dated 23/07/2025)



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ORDER
IN
CRL OP(MD) No.9970 of 2025
Date :23/07/2025

PR/12.08.2025 7P/5C

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