

CRL OP(MD). No.14607 of 2025

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 17.09.2025

PRESENT

THE HONOURABLE MRS. JUSTICE S.SRIMATHY

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Sankaran

... Petitioner/Sole Accused

Vs

**The State of Tamilnadu,
Rep by the Inspector of Police,
Cheranmahadevi Police Station,
Tirunelveli District.
(Crime No.376 of 2025)**

... Respondent/Complainant

For Petitioner : Mr.S.Poornachandran

**For Respondent : Mr.S.S.Manoj
Government Advocate (Crl. side)**

PETITION FOR ANTICIPATORY BAIL Under Sec.482 of BNSS

PRAYER :-

**For Anticipatory Bail in Cr.No.376 of 2025 on the file of the
respondent police.**



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ORDER : The Court made the following order :-

The petitioner/Accused, who apprehend arrest at the hands of the respondent police for the offences punishable under Sections 7 and 8 of Protection of Children from Sexual Offence Act, in Crime No.376 of 2025, seeks anticipatory bail.

2. The case of the prosecution is that, on 22.08.2025, while the defacto complainant along with her children and father was travelling by a Government bus to Papanasam, her elder daughter was made to sit between two male passengers. During the journey, the daughter informed that one of the men seated beside her had touched her chest and thigh. Hence, the complaint.

3. The learned counsel appearing for the petitioner submits that the petitioner is an innocent person and he has not committed any offence as alleged by the prosecution. Hence, he prays for grant of anticipatory bail to the petitioners.



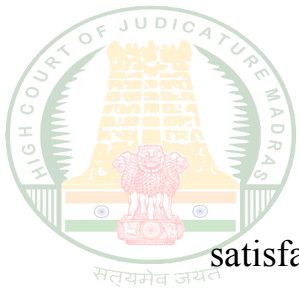
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4. The learned Government Advocate (Crl.Side) appearing for the respondent Police submits that while the defacto complainant's daughter was travelling in a bus, the petitioner sexually touched the victim girl. Therefore, he opposed for grant of anticipatory bail to the petitioner.

5. Taking into consideration of the facts and circumstances of the case and also considering the fact that the victim girl was seated between two persons due to the speed of the vehicle and that the alleged act may have occurred inadvertently, this Court is inclined to grant anticipatory bail to the petitioner with certain conditions.

6. Accordingly, this Petition is allowed and the petitioner is ordered to be released on bail in the event of arrest or his appearance, within a period of fifteen days from the date of receipt of a copy of this order, before the learned Special Court for the Protection of Children from Sexual Offence Act, Tirunelveli, 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



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satisfaction of the learned Magistrate concerned and on further conditions 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 report before the respondent police daily at 5.30 p.m for a period of four weeks and thereafter, as and when required for interrogation. He has to co-operate for the investigation;

(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 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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(f) if the accused thereafter abscond, a fresh FIR can be registered under Section 269 of BNS 2023.

(S S Y J)
17.09.2025

jbr

To

1. The Special Court for the Protection of Children from Sexual Offence Act, Tirunelveli.
2. The Inspector of Police, Cheranmahadevi Police Station, Tirunelveli District.
3. The Additional Public Prosecutor, Madurai Bench of Madras High Court, Madurai.



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S.SRIMATHY,J.

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ORDER
IN
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