



CRL OP(MD). No.17100 of 2025

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 25.10.2025

CORAM

**THE HONOURABLE MRS JUSTICE S.SRIMATHY**

**CRL OP(MD) NO. 17100 of 2025**

Harshath Ruban

..Petitioner/Sole Accused

Vs

State Of Tamilnadu,

Rep By The Inspector Of Police,

ALL Women Police Station,

Colachel,

Kanyakumari District.

(Crime No.40 of 2025)

Respondent (s)

**For Petitioner(s) :**

Mr.S.C.Herold Singh

**For Respondent(s) :**

Mrs.M.Aasha

Government Advocate (Crl. Side)

PETITION FOR ANTICIPATORY BAIL Under Sec.482 of  
BNSS

PRAYER :- For Anticipatory Bail in Crime No.40  
of 2025 on the file of the Respondent Police.



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ORDER : The Court made the following order :-

The petitioner, who apprehends arrest at the hands of the respondent police for the offences punishable under Sections 65(1) of BNS, and Sections 5(1), 5(j)(ii), 5(n) and 6 of POCSO, Act, 2012, in Crime No.40 of 2025, on the file of the respondent police, seeks anticipatory bail.

2. The case of the prosecution is that the petitioner is the maternal uncle of the victim girl and both were in love and the petitioner had committed penetrative sexual assault on the victim girl and thereafter, she got pregnant. Hence, the complaint.

3. The learned counsel appearing for the petitioner submitted that the petitioner is an innocent person and he is no way connected with the alleged occurrence as stated by the



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prosecution. He further submitted that the petitioner is ready and willing to abide by any conditions that may be imposed by this Court. Hence, he seeks anticipatory bail to the petitioner.

4. The learned Government Advocate (Crl. side) submitted that in the statement recorded under Section 164 Cr.P.C., the victim minor girl clearly stated that there is no allegation against the petitioner. However, he opposed to grant anticipatory bail to the petitioner.

5. Taking into consideration of the facts and circumstances of the case and also the fact that 164 statement clearly says that there is no allegation against the petitioner, this Court is inclined to grant anticipatory bail to the petitioner, with certain conditions.



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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 learned Special Court for Exclusive Trial of Cases under Protection of Child from Sexual Act, Nagercoil, Kanyakumari District, 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 the police officer who intends to arrest or to the satisfaction of the learned Special Court for Exclusive Trial of Cases under Protection of Child from Sexual Act, Nagercoil, Kanyakumari District, 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



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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 mobile number to the learned Special Court for Exclusive Trial of Cases under Protection of Child from Sexual Act, Nagercoil, Kanyakumari District. In the event of any change in his residential address, the petitioner shall report the same to the learned Special Court for Exclusive Trial of Cases under Protection of Child from Sexual Act, Nagercoil, Kanyakumari District;

(c) the petitioner shall report before the respondent police as and when required for interrogation and cooperate with the investigation;

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

(e) the petitioner shall not abscond



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either during investigation or trial;

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(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 under Section 269 of BNS, 2023.

**25.10.2025**

vsg



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To

1.The learned Special Court for Exclusive Trial  
of Cases under Protection of Child from Sexual  
Act, Nagercoil, Kanyakumari District.

2. The Inspector Of Police,  
ALL Women Police Station,  
Colachel,  
Kanyakumari District.

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



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**S. SRIMATHY. J. ,**

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Date : 25.10.2025