



CRL OP(MD). No.17486 of 2025

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 17.10.2025

CORAM

THE HONOURABLE MRS JUSTICE S.SRIMATHY

CRL OP(MD) NO. 17486 of 2025

Backiyaraj @ Pakkiyaraj

..Petitioner/Sole Accused

Vs

State Of Tamilnadu,

Rep By The Inspector Of Police,

All Women Police Station,

Illupur,

Pudukkottai District.

(Crime No.29 of 2025)

Respondent (s)

For Petitioner(s) :

Mr.D.Ramesh Kumar

For Respondent(s) :

Mr.S.S.Manoj

Government Advocate (Crl. Side)

PETITION FOR ANTICIPATORY BAIL Under Sec.482 of
BNSS

PRAYER :- For Anticipatory Bail in Crime No.29
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(1), 5(j)(ii) and 6(1) of Protection of Child From Sexual Offences Act, 2012, in Crime No.29 of 2025, on the file of the respondent police, seeks anticipatory bail.

2. The case of the prosecution is that the petitioner is the uncle of the victim girl and both loved each other and the petitioner had committed penetrative sexual assault on the victim girl. Thereafter, on 05.12.2024, the petitioner got married to the victim girl. 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 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 and the petitioner got married to the victim girl, this Court is inclined to grant anticipatory bail to the petitioner, with certain conditions.



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WEB COPY 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 Mahila Court, Pudukkottai, 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 Mahila Court, Pudukkottai, 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;



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(b) the petitioner shall furnish his residential address and mobile number to the learned Mahila Court, Pudukkottai. In the event of any change in his residential address, the petitioner shall report the same to the learned Mahila Court, Pudukkottai;

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

(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



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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.

17.10.2025

vsg

To

1.The learned Mahila Court, Pudukkottai.

2. The Inspector Of Police,
All Women Police Station,
Illupur,
Pudukkottai District.

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



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S. SRIMATHY. J. ,

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