



CRL OP(MD). No.17520 of 2025

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 11/11/2025

PRESENT

The HONOURABLE MRS. JUSTICE S.SRIMATHY

CRL OP(MD). No.17520 of 2025

1. Esakkiyammal
2. Ajith

... Petitioners/Accused

Vs

The State of Tamil Nadu,
Rep By, The Inspector of Police,
Serakulam Police Station,
Thoothukudi District.
Cr.No.74/2025.

... Respondent/Complainant

For Petitioner : Mr. Karansingh K,
Advocate.

For Respondent : Mrs.M.Aasha,
Government Advocate (Crl.Side)

PRAYER :-

For Anticipatory Bail in Cr.No.74 of 2025 on the file of the respondent police.

ORDER : The Court made the following order :-



CRL OP(MD). No.17520 of 2025

The petitioners, who apprehend arrest at the hands of the respondent police for the offences punishable under Sections 4 of NON Act and u/s. 137(2) BNS and u/s. 5(1) r/w. 6, 16 r/w. 17 of POCSO Act in Crime No. 74 of 2025 on the file of the respondent police, seek anticipatory bail.

2. The case of the prosecution is that A1 kidnapped the victim girl, who is aged about 17 years and sexually harassed her. Hence, the complaint.

3. The learned Government Advocate (Crl. side) submits that in the 164 statement victim stated that there is a love affair between her and A1. He further submitted that the petitioners have permitted the victim and A1 to stay in their place. He further submitted that co-accused already arrested and released on bail and the charge sheet has also been laid before the concerned Court.

4. Heard the learned counsel appearing for the petitioners and the learned Government Advocate (Criminal Side) appearing for the respondent police.



CRL OP(MD). No.17520 of 2025

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5. Considering the facts and circumstances of the case and also considering the fact that A1 has already been released on bail and that the 164 Statement of the victim also confirms that the petitioners have only permitted them to stay in their house and that the charge sheet has already been filed, 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 arrest or on their appearance, 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 learned Principal Special Court for Exclusive of Trial of Cases under POCSO Act, Thoothukudi, within a period of fifteen days from the date of receipt of a copy of this order and on further conditions that:

[a] the petitioners and the sureties shall affix their photographs and left thumb impression in the surety bond



CRL OP(MD). No.17520 of 2025

and the Magistrate may obtain a copy of their Aadhaar card or bank pass book to ensure their identity;

[b] the petitioners shall appear before the concerned Court on all hearing dates without fail;

[c]the petitioners shall not tamper with the evidence or witness either during investigation or trial.

[d]the petitioners 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 petitioners in accordance with law as if the conditions have been imposed and the petitioners are 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



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CRL OP(MD). No.17520 of 2025

[(2005)AIR SCW 5560].

[f]If the accused thereafter absconds, a fresh FIR
can be registered under Section 269 of BNS.

(S S Y J)
11.11.2025

TO

1. Principal Special Court for Exclusive of Trial of Cases under POCSO Act, Thoothukudi,
2. The Inspector of Police,
Serakulam Police Station,
Thoothukudi District.
3. The Additional Public Prosecutor,
Madurai Bench of Madras High Court, Madurai.



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CRL OP(MD). No.17520 of 2025

S.SRIMATHY,J

trp

ORDER
IN
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