



CRL OP(MD). No.18361 of 2025

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

Date : 23/10/2025

PRESENT
THE HON'BLE MRS. JUSTICE S.SRIMATHY

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Ramesh .. Petitioner/Sole Accused

Vs

The State of Tamil Nadu,
Rep By, The Inspector of Police,
AWPS-Palayamkottai Police Station,
Palayamkottai,
Tirunelveli City.
Cr.No.440 of 2025.

... Respondent/Complainant

For Petitioner : M.Rajarajan,
Advocate.

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

PETITION FOR ANTICIPATORY BAIL Under Sec.482 of BNSS

PRAYER :-

C-58AB. For Anticipatory Bail in Cr.No.440 of 2025 on the file of the respondent police.

ORDER : The Court made the following order :-



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2. The case of the prosecution is that on 17.08.2025, when the defacto complainant's younger daughter Vidhya left their residence and did not return back to home. The defacto complainant suspected that her daughter might have gone with one Ramesh/the petitioner herein, she approached the police and requested them to trace and rescue her daughter. Based on her complaint, an FIR was registered under Section 'Girl missing' and subsequently altered into Section 87 of BNS and Section 5(1) r/w 6 of the POCSO Act. Hence, the case.

3. The learned counsel for the petitioner submitted that the petitioner is an innocent person and has not committed any offences as alleged by the



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prosecution, and he has been falsely implicated in this case. He further submitted that the petitioner is ready and willing to abide by any conditions which may be imposed by this Court. Hence, he seeks anticipatory bail for the petitioner.

4. The learned Government Advocate (Criminal Side) submitted that the petitioner is having no previous cases and he produced the 164 statement of the victim girl and it is a case of love affair. However, he opposed for grant of anticipatory bail to the petitioner.

5. Considering the facts and circumstances of the case and considering the fact that it is a case of love affair, and since the 164 statement did not support the case of the prosecution, this Court is inclined to grant anticipatory bail to the petitioner, subject to certain conditions.

6. Accordingly, the petitioner is ordered to be released on bail in the event of arrest or on his



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appearance, 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 learned Sessions Judge, Special Court for POCSO Act Cases, Tirunelveli, within a period of fifteen days from the date of receipt of a copy of this order 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 Aadhaar card or bank pass book to ensure their identity;

[b] the petitioner shall report before the respondent Police as and when required;

[c] the petitioner shall not tamper with the 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



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action against the petitioner in accordance with law as if the conditions have been imposed and the petitioner is 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

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

23.10.2025

PJL

TO

1. The Sessions Judge, Special Court for POCSO Act Cases, Tirunelveli.
2. Do-Through The Chief Judicial Magistrate, Thirunelveli District.
3. The Inspector of Police, AWPS-Palayamkottai Police Station, Palayamkottai, Tirunelveli City.
4. The Additional Public Prosecutor, Madurai Bench of Madras High Court, Madurai.

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S.SRIMATHY, J

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ORDER
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