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CRL OP(MD) NO. 19887 of 2025
BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 21-11-2025

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THE HONOURABLE MRS JUSTICE S.SRIMATHY

CRL OP(MD) NO. 19887 of 2025

R.C. Porselvi

Petitioner(s)

Vs

The State of Tamilnadu, rep. by The Inspector of Police,
All Women Police Station,
Madurai South, Madurai District.
(Crime No.38 of 2025)

Respondent(s)

For Petitioner(s):

Mr.R.Gandhi, Senior Counsel, for
Ajmal Associates

For Respondent(s):

M/s.M.Aasha,
Government Advocate (crl. Side)

Prayer: For Anticipatory Bail in Crime No.38 of 2025 on the file of the
Respondent Police.

ORDER

The petitioner/A-2, who apprehends arrest at the hands of the respondent police for the offences punishable under Sections 7 & 8 of POCSO Act and Section 296(b) of BNS Act, in Crime No.38 of 2025, on the file of the respondent police, seeks anticipatory bail.



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2. The case of the prosecution is that the petitioner is serving as Head Mistress in the Thiagarajar Hr. Sec. School, located at Vasanthanagar, Madurai and A-1 abused the defacto complainant's daughter/victim girl and being the Head Mistress in the said school is not taking steps against A-1. Hence, a case has been registered as against the petitioner.

3. The learned counsel appearing for the petitioner submitted that the petitioner has been falsely implicated in this case. He seeks this Court to grant anticipatory bail to the petitioner.

4. The allegation against the petitioner is that she did not take any steps when the victim girl made a complaint. Therefore, this Court directed the prosecution to record the statement of the victim under Section 164 of the Cr.P.C.

5. When the matter was taken up for hearing, the learned Government Advocate (Crl. Side) appearing for the respondent police produced the statements of the victim as well as those of the other victims. This Court has perused the same. It is seen that no such allegation has been made out.



Furthermore, the Child Welfare Officer conducted an enquiry and reported that no such incident had occurred. In spite of the vehement objections raised by the intervenor, considering the facts of the case, the interim anticipatory bail already granted by this Court is made absolute and confirmed. This Court is also inclined to grant anticipatory bail to the petitioner with certain conditions.

6. Accordingly, the petitioner is ordered to be released on bail in the event of arrest or on his 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 Special Court for POCSO Act Cases, Madurai, 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 appear before the respondent police as and when required for interrogation.

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



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[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 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].

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

21-11-2025

KSA

To

1. The Inspector of Police,
All Women Police Station,
Madurai South, Madurai District.
2. The Additional Public Prosecutor,
Madurai Bench Of Madras High Court, Madurai.