



WEB COPY

Crl.O.P.No.709 of 2026



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 19.01.2026

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THE HONOURABLE Mr. JUSTICE K. RAJASEKAR

Crl.O.P.No.709 of 2026

Nikkhat Praveen

... Petitioner

Vs.

State rep by;
The Inspector of Police, (Crime)
Uthukuli Police Station,
Thiruppur District.
(Crime No.188 of 2023)

... Respondent

PRAYER : Criminal Original Petition filed under Section 482 of the Bharatiya Nagarik Suraksha Sanhita, Act, 2023, to enlarge the petitioner on bail in event of arrest pending investigation in Crime No.188 of 2023 on the file of the respondent police.

For Petitioner : Mr.E.Ashok Kumar
For Respondent : Ms.J.R.Archana,
Government Advocate (Crl.Side)

ORDER

The petitioner apprehends arrest for the alleged offence **under Sections 366 IPC, Sec 5(1) and 6 of POCSO Act in Crime No.188 of 2023** on the file of the respondent police seeks anticipatory bail.

2. The allegation against the petitioner is that the petitioner, who is the mother of A1 in this case, known to the victim, who is aged about 16 years, and while the victim was alone, met her and kidnapped her under the pretext of taking her to some other place and bringing her back. Instead, the petitioner



took the victim to various places, including Bangalore, Calcutta and committed penetrative sexual assault on her, as admitted by the petitioner herself. Hence, a case has been registered.

3. The learned counsel for the petitioner submitted that the petitioner is only mother of A1 and has not abetted A1 in the commission of any criminal offences. He further submitted that co-accused already arrested and released on bail by this Court in Crl.O.P.No.34367 of 2025, dated 16.12.2025. He further submitted that the investigation in this case is concluded and final report is also filed. He further submitted that the petitioner is ready to abide by any conditions that may be imposed by this Court and ready to cooperate with the investigation. Hence, he prayed to grant anticipatory bail to the petitioner.

4. The learned Government Advocate (Crl.Side) appearing for the respondent police reiterated the prosecution case and, upon instructions, submitted that the final report in this case has already filed and the petitioner is absconding and now the case is taken cognizance in Spl.C.C.No.81 of 2025 on the file of the Mahila Court, Thiruppur, and Non Bailable Warrant was issued against the petitioner herein. Hence, she prays to grant anticipatory bail to the petitioner.

5. Considering the facts and circumstances of the case and the submissions made by the learned counsel on both sides; and the nature of allegations levelled against the petitioner; and considering the fact that the



investigation in this case is concluded and final report is filed and Non Bailable Warrant was also issued against the petitioner and absconding charge sheet is also filed, I am 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 appearance, within a period of fifteen (15) days from the date on which the order copy is made ready, before the **learned Principal Special Judge, Principal Special Court under POCSO Act at Chennai**, on condition that **the petitioner shall execute a bond for a sum of Rs.20,000/- (Rupees Twenty Thousand only)**, with **two sureties each**, for a like sum to the satisfaction of the learned Magistrate concerned, and on further conditions:

(a) If the petitioner fails to surrender before the concerned learned Magistrate within a period of fifteen (15) days from the date of receipt of a copy of this order, this order shall stand automatically cancelled;

(b) The sureties shall affix their photographs and left thumb impression in the application for surety ship (Judicial Form No.46 annexed to 'The Criminal Rules of Practice,

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2019]'. The learned Magistrate shall obtain a copy of any one of identify proofs to ensure their identity;

(c) The petitioner shall report before the respondent



Police everyday at 10.30 a.m., for a period of three weeks and thereafter, as and when required for interrogation; shall also co-operate for medical examination;

(d) On breach of any of the aforesaid conditions, the learned Magistrate/Trial Court is entitled to take appropriate actions against the petitioner in accordance with law as if the conditions have been imposed and the petitioner released on anticipatory bail by the learned Magistrate/Trial Court himself as laid down by the Hon'ble Supreme Court in *P.K.Shaji v. State of Kerala [(2005) AIR SCW 5560]*;

(e) If the petitioner thereafter absconds, a fresh FIR can be registered under Section 269 of BNS Act.

19.01.2026

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To

- 1.The Principal Special Judge, Special Court under POCSO Act at Chennai.
- 2.The Inspector of Police, (Crime), Uthukuli Police Station, Thiruppur District.
- 3.The Public Prosecutor, High Court of Madras.

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