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Crl.O.P.No.1113 of 2026

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 30.01.2026

CORAM

THE HONOURABLE MR JUSTICE K. RAJASEKAR

CRL OP NO.1113 of 2026

Muthukumar S/o.Venakatachalam

... Petitioner

Vs

The State Rep. By,
The Inspector of Police,
AWPS Mannargudi Police Station,
Tiruvarur District.
(Crime No.01 of 2026)

... Respondent

PRAYER: Criminal Original Petition filed under Section 482 of Bharatiya Nagarik Suraksha Sanhita, 2023, pleaded to enlarge the petitioner on anticipatory bail in the event of arrest by the respondent in Crime No.01 of 2026 on the file of the respondent police.

For Petitioner : Mr. Deenadayalan Selvam

For Respondent : M/s. J.R. Archana
Government Advocate (Crl.Side)

ORDER

The petitioner, who apprehends arrest at the hands of the respondent



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police for the offences punishable under Sections 7 and 8 of POCSO Act, in Crime No.01 of 2026 on the file of the respondent Police, seeks anticipatory bail.

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2. The case of the prosecution is that the petitioner was working as temporary part time Physical Education Teacher in the school in which the two victim girls are studying; taking advantage, the petitioner misbehaved with them and attacked them in several occasions by giving rude remarks against the victim girls; hence, unable to bear the harassment, the case has been lodged.

3. The learned counsel appearing for the petitioner submitted that the petitioner has been falsely implicated in this case, the petitioner is currently not working there and has only talked with the victims with utmost respect; he has not involved in any of the offence as alleged and that the petitioner is ready to abide by any conditions that may be imposed by this Court, hence sought for anticipatory bail to the petitioner.

4. The learned Government Advocate (Crl. Side) appearing for the respondent police while opposing the anticipatory bail to the petitioner reiterated the prosecution case and submitted that they have recorded the



statement of one victim girl which revealed that he attempted to misbehave with her and statement of the another victim girls is yet to be recorded and that the investigation of this case is pending.

5. Considering the submissions made, facts and circumstances of this case, nature of allegation, the fact that the petitioner is not currently working there and there is no allegation of penetrative sexual assault and since custodial interrogation of the petitioner herein is not necessary for the purpose of investigation, this Court is 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 her appearance, within a period of fifteen days from the date on which the order copy made ready, before the **learned Mahila Court, Tiruvarur**, on condition that the petitioner shall execute a bond for a sum of **Rs.15,000/- (Rupees Fifteen Thousand only) with two sureties each** for a like sum to the satisfaction of the learned Magistrate concerned and on further condition that:

[a] if the petitioner fails to surrender before the concerned Magistrate within a period of fifteen days from the date of receipt of copy of this order, this Order shall



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stand automatically cancelled;

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

[c] the petitioner shall report before the respondent police daily at 10.30.a.m., for a period of three weeks and thereafter, as and when required for interrogation;

[d] On breach of any of the aforementioned conditions, the learned Magistrate/Trial Court is entitled to pass appropriate orders against the petitioner in accordance with law as if the aforementioned conditions have been imposed and the petitioner 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)13 SCC 283]**;

[e] If the accused thereafter absconds, a fresh FIR can be registered under Section 269 of B.N.S.

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K. RAJASEKAR, J.

ssa

To

1. The Mahila Court, Tiruvarur.
2. The Inspector of Police,
AWPS Mannargudi Police Station,
Tiruvarur District.
(Crime No.01 of 2026)
3. The Public Prosecutor,
High Court of Madras.

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