



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 27.01.2026

CORAM

THE HONOURABLE Mr. JUSTICE K. RAJASEKAR

Crl.O.P.No.1224 of 2026

1.Suresh
2.Lakshmi

... Petitioners/A1 & A4

Vs.

State rep. by
Inspector of Police,
Manalurpettai Police Station,
Kallakurichi District.
(Crime No.186 of 2025)

... Respondent

PRAYER : Criminal Original Petition filed under Section 482 of the Bharatiya Nagarik Suraksha Sanhita, Act, 2023, to enlarge the petitioners on bail in event of arrest pending investigation in Crime No.186 of 2025 on the file of the respondent police.

For Petitioners : Mr.T.Balachandran
For Respondent : Ms.J.R.Archana,
Government Advocate (Crl.Side)

ORDER

The petitioners apprehend arrest for the alleged offence **under Sections 296(b), 115(2), 118(1), 126(2), 351(3), 137(2) of BNS r/w 6, 5(m) of POCSO Act in Crime No.186 of 2025** on the file of the respondent police seek anticipatory bail.

2. The allegation against the petitioners is that the first petitioner is alleged to have committed aggravated sexual assault on the victim boy, taking



advantage of his loneliness. The same was intimated to the victim's family members and when the victim's family members' went to the house of A1 and questioned him all other accused attacked them. Hence, a case has been registered.

3. The learned counsel for the petitioners submitted that in this case, the first petitioner is aged about 20 years and that a false complaint has been lodged due to previous enmity. He further submitted that the petitioners have not committed any offence as alleged by the defacto complainant and it is a false acquisition and that they are ready to abide by any conditions that may be imposed by this Court and ready to co-operate with the investigation. Hence, he prayed to grant anticipatory bail to the petitioners.

4. The learned Government Advocate (Crl.Side) appearing for the respondent police reiterated the prosecution case and, upon instructions, submitted that it is a case of penetrative sexual assault and that the investigation in this case is also concluded and final report is also filed by e-filing on 12.01.2026. Hence, she opposed to grant anticipatory bail to the petitioners.

5. Considering the facts and circumstances of the case; and the submissions made by the learned counsel on both sides; though the allegation against A1 in this case seems to be very serious in nature, considering the fact



that the investigation is completed and the final report is also filed, I am 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, within a period of fifteen (15) days from the date on which the order copy is made ready, before the **learned Judicial Magistrate, Tirukoilur**, on condition that **the petitioners shall execute a separate 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 petitioners 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, 2019']. The learned Magistrate shall obtain a copy of any one of identify proofs to ensure their identity;

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(c) The petitioners shall report before the learned Judicial Magistrate, Tirukoilur, everyday at 10.30 a.m., for



a period of three weeks and thereafter, as and when required for interrogation before the respondent police;

(d) The petitioners shall co-operate for the medical examinations, if any to be conducted by the respondent police during the process of trial;

(e) On breach of any of the aforesaid conditions, the learned Magistrate/Trial Court is entitled to take appropriate actions against the petitioners in accordance with law as if the conditions have been imposed and the petitioners 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]*;

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

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To:

- 1.The Judicial Magistrate, Tirukoilur.
- 2.The Inspector of Police, Manalurpettai Police Station, Kallakurichi District.
- 3.The Public Prosecutor, High Court of Madras.

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