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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 06-04-2026

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THE HON'BLE MR.JUSTICE C.KUMARAPPAN

CRL OP No. 6681 of 2026

and

CRL MP No. 5479 of 2026

R.Karthi

..Petitioner

Vs

State Rep.by,
The Inspector of Police,
AIL Women Police Station,
Thiruvannamalai Rural,
Thiruvannamalai District.
(Crime No.10 of 2026)

..Respondent

Prayer: Criminal Original Petition filed under section 482 of BNSS to enlarge the petitioners on bail in the event of their arrest in Crime No.10 of 2026 on the file of the respondent police.

For Petitioner:

Mr.Jayaraman

For Respondent:

Mr.P.Dhileepan
Government Advocate (Crl.Side)

For Intervenor:

Mr.J.Milton Pon Davidson
for Mr.B.Jawahar

ORDER

The petitioner apprehends arrest for the alleged offence under Sections 296(b), 115(2) of Bharatiya Nyaya Sanhita, Sections 11(1) and 12 of the



Protection of Children from Sexual Offences Act, 2012 and Section 4 of the Tamil Nadu Prohibition of Harassment of Women Act in Crime No.10 of 2026 on the file of the respondent police seeks anticipatory bail.

2. The allegation against this petitioner and other accused is that the de facto complainant has purchased vehicle from this petitioner and has not repaid the sale price and when the petitioner had visited the de facto complainant's residence, this occurrence took place. The petitioner is alleged to have misbehaved with the daughter of the de facto complainant by pulling her clothes. Hence, this complaint.

3. The learned counsel for the petitioner submitted that only to misdirect the entire investigation, the de facto complainant has employed this tactics by giving false complaint in the name of her daughter. He further submitted that the petitioner is innocent and has been falsely implicated in this case. The petitioner is ready and willing to abide by any conditions that may be imposed by this Court. Hence, he prays for grant of anticipatory bail to the petitioner.

4. The said contention was totally denied by the learned counsel for the Intervenor and contended that he has not seriously disputed the purchase of car from the petitioner, however, he submitted that under the guise of collecting remaining sale price, they have indulged in such activity. Since, there was a



force from the police to resolve the issue, there was delay in registering the complaint. Hence, he opposed to grant anticipatory bail to the petitioner.

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5. The learned Government Advocate (Crl.Side) appearing for the respondent police reiterated the prosecution case and produced the statement recorded from the victim under section 183(5) of BNSS before the learned Judicial Magistrate dated 25.03.2026. Hence, he opposed to grant anticipatory bail to the petitioner.

6. I have given anxious consideration to the submissions made by the learned counsel on either side.

7. Considering the facts and circumstances of the case and on perusal of the statement of the victim, this Court could not find any serious sexual assault by the petitioner except tearing of victim's cloth. While looking at the totality of the circumstances and upon the submissions made by the learned counsel for the petitioner that the entire occurrence is the result of petitioner's attempt to collect the balance amount for the car purchased by the petitioner and apart from that, the occurrence took place on 22.02.2026 and that at this length of time, no custodial interrogation of the petitioner is required. The further fact that there is no serious allegation against the petitioner in the 183 statement of the victim. Hence, this Court is inclined to enlarge the petitioner on anticipatory bail subject



to certain conditions.

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8. 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 **Special Court for POCSO Act Cases, Thiruvanamalai** 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, 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 thirty days and thereafter, as and when required for interrogation;**

(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.

06-04-2026

SHL

To:

1. The Special Court for POCSO Act Cases,
Thiruvananthapuram
2. The Inspector of Police,
AIL Women Police Station,
Thiruvannamalai Rural,
Thiruvannamalai District.
3. The Public Prosecutor
High Court of Madras



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C.KUMARAPPAN J.

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