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CRL OP No. 7504 of 2



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 25-03-2026

CORAM

THE HON'BLE MR.JUSTICE C.KUMARAPPAN

CRL OP No. 7504 of 2026

Thamaraiselvan

..Petitioner(s)

Vs

The State Rep.by, The Inspector of Police,
Thirukoilur All Women Police Station,
Kallakurichi District.
Cr. No.103 of 2025

..Respondent(s)

Prayer: Criminal Original Petition filed under Section 482 of the Bharatiya Nagarik Suraksha Sanhita, Act, 2023 to enlarge the petitioner on anticipatory bail in the event of his arrest by the respondent in Cr. No.103 of 2025 on the file of the respondent.

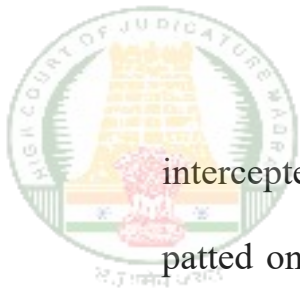
For Petitioner(s): Mr.G.Mageshkumar

For Respondent(s): Mr.P.Dhileepan,
Government Advocate (Crl.Side)

ORDER

The petitioner apprehends arrest for the alleged offence under Sections 126(2) of BNS, 2023 r/w. Section 7, 8, 11(1) and 12 of POCSO Act, 2012 in Crime No.103 of 2025 on the file of the respondent seeks anticipatory bail.

2. The case of the prosecution is that the de facto complainant's daughter (alleged victim girl) while on her way to house from school has been



intercepted by the petitioner along with other two accused persons, thereby patted on her back and intimidated her to love one of the accused. Hence, the case.

3. The learned counsel appearing for the petitioner submitted that the petitioner is innocent and has been falsely implicated in this case. He further submits that the petitioner is ready to abide by any conditions imposed by this Court. He further submits that the co-accused had already been enlarged on anticipatory bail by this Court in Crl.O.P.No.6650 of 2026 dated 16.03.2026. Hence, he prays to grant anticipatory bail to the petitioner as well.

4. The learned Government Advocate (Crl.Side) appearing for the respondent reiterated the prosecution case and has produced the Statement under Section 183 of BNSS recorded by the victim girl before this Court and vehemently opposed to grant anticipatory bail to the petitioner.

5. On a perusal of the statement under Section 183 of BNSS recorded by the victim girl, this Court does not find any serious sexual assault by the petitioner. Considering the fact that the co-accused had already been released on anticipatory bail vide order dated 16.03.2026, in order to maintain parity with the said order, this Court is 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 District and Sessions Court, Kallakurichi** on condition that **the petitioner shall execute a bond for a sum of Rs.20,000/- each (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 learned Magistrate concerned 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 daily at 10.30 am. for a period of two weeks 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.

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To

1. The Inspector of Police,
Thirukoilur All Women Police Station,
Kallakurichi District.

2. The Public Prosecutor,
High Court, Madras.

3. The Principal District and Sessions Court, Kallakurichi



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C.KUMARAPPAN, J.

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