



WEB COPY

CRL OP No. 8155 of 2



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 20-04-2026

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THE HON'BLE MR. JUSTICE C.KUMARAPPAN

CRL OP No. 8155 of 2026

and

CRL MP No. 7228 of 2026

A.Saravanan

..Petitioner(s)

Vs

The State
Rep. by the Inspector of Police
AWPS Polur Police Station,
Thiruvannamalai District.
Crime No.9 of 2026

..Respondent(s)

Criminal Original Petition has been filed under Section 482 of the Bharatiya Nagarik Suraksha Sanhita (BNSS), 2023, to enlarge the petitioner on bail in the event of his arrest in respect of Crime No.9 of 2026, on the file of the Inspector of Police, AWPS Polur Police Station, Thiruvannamalai District, pending investigation and thus render justice.

For Petitioner(s): Mr.Viswanathan SB

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

Mr.D.Anbalagan
For Intervener



ORDER

The petitioner, apprehending arrest by the respondent police for offences punishable under Sections 451 and 506(i) of the Indian Penal Code (IPC), read with Sections 5(l) and 6(1) of the Protection of Children from Sexual Offences (POCSO) Act, 2012, in Crime No.9 of 2026, seeks anticipatory bail.

2. The case of the prosecution is that the petitioner forcibly had sexual intercourse with the defacto complainant while she was residing at her elder sister's house for her studies. The petitioner, who is the husband of the complainant's elder sister, allegedly committed these acts first between January 2023 and March 2023, and subsequently on 22.12.2025, in January 2026, and on several other occasions between 2023 and 2026. Hence, the present case was registered.

3. The learned counsel for the petitioner would submit that the petitioner has been falsely implicated and has no connection to the alleged offences. He further submits that the petitioner undertakes to abide by any conditions imposed by this Court and, on this basis, prays for the grant of anticipatory bail.

4. The learned counsel for the intervener/defacto complainant strongly opposed the grant of anticipatory bail, submitting that the petitioner, being the complainant's brother-in-law, threatened her into silence by stating he would



desert her sister if the matter was revealed. It is further alleged that the petitioner later threatened the complainant to marry him so that he could keep both sisters as his wives. The learned counsel also submitted that the accused has been absconding since 16.03.2026, thereby frustrating the investigation.

5. The learned Government Advocate (Criminal Side), appearing for the respondent police, reiterated the prosecution's case and submitted that the petitioner has committed a heinous offence. He further contended that as the investigation is still pending, the petitioner's custodial interrogation is essential and therefore vehemently opposed the grant of anticipatory bail.

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

7. Taking into consideration the totality of the circumstances and the nature of the grave allegations, this Court finds that there is a *prima facie* case made out against the petitioner under POCSO Act. The petitioner's contention regarding false implication is a matter for trial and does not outweigh the serious nature of the repeated sexual assault alleged against a minor relative. In view of the fact that the petitioner abused a position of trust as a brother-in-law, issued threats to the victim and her family, and has been absconding since 16.03.2026, thereby frustrating the investigation, this Court is of the opinion



that custodial interrogation is necessary for an effective investigation.

Consequently, this Court is not inclined to grant anticipatory bail at this stage.

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8. Accordingly, the Criminal Original Petition is dismissed.

Consequently, the connected Miscellaneous Petition is closed.

20-04-2026

Index: Yes/No

Speaking/Non-speaking order

Neutral Citation: Yes/No

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To

- 1.The Judicial Magistrate's Court, Polur, Thiruvannamalai District.
- 2.The Inspector of Police, AWPS Polur Police Station, Thiruvannamalai District.
- 3.The Public Prosecutor, High Court of Madras, Chennai.



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C.KUMARAPPAN, J.

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