



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 28.04.2026

CORAM

THE HONOURABLE Mr. JUSTICE A.D.JAGADISH CHANDIRA

Crl.O.P.No.10610 of 2026

Prasanth.P

... Petitioner(s)

Vs.

State represented by,
The Inspector of Police (AWPS),
Kunnam Police Station,
Perambalur District.
Crime No.461 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 bail in the event of his arrest in connection with Crime No.461 of 2025 on the file of the respondent police.

For Petitioner(s) : Mr.Hariram Kumar

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

ORDER

The petitioner, who apprehends arrest at the hands of the respondent Police for the alleged offences under Section 137(2) of the Bharatiya Nyaya Sanhita, 2023, and Sections 7 and 8 of the POCSO Act, in Crime No.461 of 2025 on the file of the respondent police, seeks anticipatory bail.



2. This is the second anticipatory bail application filed by the petitioner before this Court. The earlier anticipatory bail application filed by the petitioner was dismissed by this Court on 29.01.2026 in CrI.O.P.No.1904 of 2026.

3. The learned counsel for the petitioner, pleading innocence on the part of the petitioner and false implication in the case, seeks the indulgence of this Court. He would submit that the alleged occurrence took place on 14.11.2025 and that the petitioner and the victim girl were in an adolescent relationship. According to the learned counsel, the complaint has been lodged by the defacto complainant only due to the said relationship. He would also submit that there is no specific allegation of forcible kidnapping or sexual assault as against the petitioner. It is further submitted that the third accused has already been granted anticipatory bail by this Court vide order dated 16.03.2026 in CrI.O.P.No.6722 of 2026 and hence, on the ground of parity, the petitioner may also be granted anticipatory bail.

4. The case of the prosecution, as put forth by the learned Government Advocate (Criminal Side) appearing for the respondent police, opposing the grant of anticipatory bail, is that the petitioner/A1 had allegedly lured the victim girl, aged about 16 years, under the pretext of love, taken her to various places, and committed sexual assault on her, and that the other accused had aided and

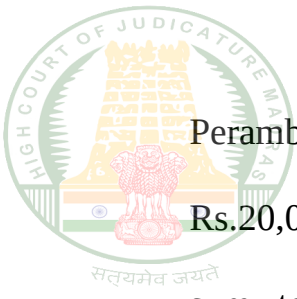


abettred the petitioner in the act. He further placed before this Court the statement of the victim recorded under Section 183 of the Bharatiya Nagarik Suraksha Sanhita, dated 05.12.2025. He, however, fairly submitted that the third accused has already been granted anticipatory bail by this Court.

5. Heard the learned counsel appearing for the petitioner and the learned Government Advocate (Criminal Side) appearing for the respondent police and perused the materials available on record.

6. Taking note of the facts and circumstances of the case, the submissions made by the learned counsel on either side, and on a perusal of the statement of the victim recorded under Section 183 of the Bharatiya Nagarik Suraksha Sanhita, this Court finds that there is no specific allegation of forcible sexual assault as against the petitioner. Considering the same, and also the fact that the co-accused has already been granted anticipatory bail, this Court is inclined to grant anticipatory bail to the petitioner, as custodial interrogation is not required at this stage, subject to certain conditions.

7. Accordingly, the petitioner is ordered to be released on bail in the event of arrest or on his appearance, within a period of fifteen days from the date on which the order copy is made ready, before the learned Additional Mahila Court,



Perambalur, 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 that:

(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 petitioner and sureties shall affix their photographs and left thumb impression in the application for suretyship (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 30 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.

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28.04.2026

To

1. The learned Additional Mahila Court, Perambalur,
2. The Inspector of Police (AWPS), Kunnamm Police Station, Perambalur.
3. The Public Prosecutor, High Court of Madras



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A.D.JAGADISH CHANDIRA, J.

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