



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 16-04-2026

CORAM

THE HON'BLE MR.JUSTICE C.KUMARAPPAN

CRL OP No. 9473 of 2026

1. S.Sathish Kumar
S/o.Sampath,
No.2/108, Kudi Street,
Ariyur,
Namakkal District.
2. P.Arulmani
S/o.Palanivel,
No.2/31, Marappanayakkanpatty,
Bommanpatty,
Namakkal District.

..Petitioner(s)

Vs

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

..Respondent(s)

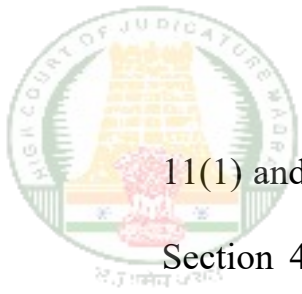
PRAYER : Criminal Original Petition filed under Section 482 of BNSS, 2023, to enlarge the petitioners on Bail in the event of their arrest in Crime No.10 of 2026 on the file of the respondent police and thus render justice.

For Petitioner(s): Mr.K.Jayaraman

For Respondent(s): MR.P.DHILEEPAN,
GOVT.ADVOCATE (CRL SIDE)

ORDER

The petitioners apprehend arrest at the hands of the respondent police for the offences punishable under Sections 296(b), 115(2) of the BNS, 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, seek anticipatory bail.

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

3. The learned counsel appearing for the petitioners submitted that the petitioner is an innocent and has been falsely implicated in this case. He further submitted that the occurrence took place on 24.02.2026 and that the co-accused has already been granted anticipatory bail by this Court in Crl.OP.No.6681 of 2026 dated 06.04.2026. Hence, he seeks 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 the said factum has not been seriously disputed. However, he



opposed to grant anticipatory bail to the petitioners.

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

6. While looking at the earlier order passed by this Court in Crl.OP.No. 6681 of 2026 dated 06.06.2026, this Court has discussed in respect of 183(5) of BNSS and para-7 is read as follows:

“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”.

6. In view of the above position, this Court is like to show parity to this petitioner as that of other co-accused. Hence, this Court is inclined to enlarge the petitioners on anticipatory bail, subject to certain conditions.



7. 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 Special Court for POCSO Act Cases, Thiruvannamalai**, 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;

(c) **The petitioners shall report before the respondent police daily at 10.30 am 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 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]*;



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

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16-04-2026

DRL

To

1.The Special Court for POCSO Act Cases,
Thiruvannamalai.

2.The Inspector of Police,
All Women Police Station,
Thiruvannamalai Rural,
Thiruvannamalai District.
(Crime No.10 of 2026).

3.The Public Prosecutor,
High Court, Madras.



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C.KUMARAPPAN, J.

DRL

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