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CrI.O.P.No.11474 of 2026

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 20.05.2026

CORAM:

THE HON'BLE MR.JUSTICE R.SAKTHIVEL

CrI.O.P.No.11474 of 2026

Sakthivel,
S/o. Sankar,
No.1/24, New Colony,
Paravalur Post, Kachiperumanatham,
Virudhachalam Taluk,
Cuddalore District – 606 003.
Petitioner/Sole Accused

...

Versus

State represented by
The Inspector of Police,
All women Police Station,
Kallakurichi,
Kallakurichi District – 606 202.
(Crime No.19 of 2025)

... Respondent/Complainant

PRAYER: Criminal Original Petition filed under Section 482 of Bharatiya Nagarik Suraksha Sanhita, 2023, praying to grant anticipatory bail to the petitioner in the event of his arrest in SPL.SC.63 of 2025 in Crime No.19 of 2025 on the file of the learned Principal District Judge, Kallakuruchi.

For Petitioner : Ms.A.Akshaya

For Respondent : Mr.V.Meganathan
Government Advocate (Criminal Side)



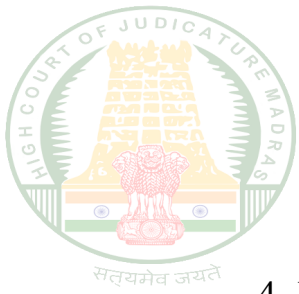
Crl.O.P.No.11474 of 2026

ORDER

This Criminal Original Petition has been filed by the petitioner on 29.04.2026 under Section 482 of the Bharatiya Nagarik Suraksha Sanhita (BNSS), 2023, praying to grant an order of pre-arrest bail.

2. The petitioner apprehends arrest at the hands of the respondent-police for the offences punishable under Section 7 and 8 of POCSO Act, 2012, in Crime No.19 of 2025 on the file of the respondent-police.

3. The case of the prosecution is that the defacto complainant is the mother of the victim girl, aged 17 years. The petitioner was having a love affair with the minor victim girl for past eight months. The petitioner allegedly called the victim to a place known as 'Chinnakuttai' in our village, where he kissed her and coerced her to remove her clothes, threatening to commit suicide if she refused. Their acquaintance developed through the petitioner's visits to his maternal aunt Sudha's house, and he frequently travelled to Chennai for work. When the victim asked the petitioner to marry her after attaining the age of 18 years, he allegedly refused on 06.04.2025. Subsequently, the defacto complainant lodged a complaint with the respondent-police. Hence, the case. Hence the case.



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4. Ms.A.Akshaya, the learned counsel for the petitioner, submits that the petitioner is an innocent person and he has not committed any offence as alleged by the prosecution and that a false case has been foisted against the petitioner. The learned counsel further submits that there was previous enmity between the petitioner and the Defacto-complainant regarding a marriage proposal, which arose upon the refusal by the petitioner's family. She, however submits that the petitioner is ready to abide by any conditions to be imposed by this Court. Therefore, she prays for grant of pre-arrest bail to the petitioner.

5. *Per contra*, Mr.V.Meganathan, the learned Government Advocate (Criminal Side) appearing for the respondent-police, submits that the investigation has been completed, the charge sheet has also been filed, and the statement of the victim girl under Section 183 of BNSS was also recorded. Therefore, he contends that, if the petitioner is granted pre-arrest bail, he will cause threat to the defacto complainant and the victim girl. Accordingly, he prays to dismiss this Criminal Original Petition.

6. Heard on both sides. This Court has perused the record.



7. In view of the offence alleged against the petitioner, this Court is of the view that custodial interrogation may not necessary in this case. The petitioner has permanent residence and deep roots in the society. Therefore, there is less possibility for absconding. Considering the above and also considering the facts and circumstances of the case and also taking note of the fact that there are no previous cases against the petitioner and with a view to give an opportunity to the petitioner to reform himself, this Court is inclined to grant an order of pre-arrest bail to the petitioner subject to the following conditions.

(i) The petitioner shall be released on pre-arrest bail in the event of his arrest or in the event of his surrender before the **learned Principal District Judge, Kallakuruchi**, within a period of 15 days from date on which the order copy is made ready, on executing a bond for a sum of Rs.10,000/- (Rupees Ten Thousand only) along with two sureties each for a like sum of Rs.10,000/- (Rupees Ten Thousand only) to the satisfaction of the **learned Principal District Judge, Kallakuruchi**,

(ii) The 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']. **learned Principal District Judge, Kallakuruchi**, shall obtain a copy of any one of their identity proofs to ensure their identity.



(iii) The petitioner shall appear and sign before the respondent-police twice a week, on Saturdays and Sundays at 10.00 a.m. until further orders.

(iv) The petitioner shall make himself available for interrogation by a police officer as and when required.

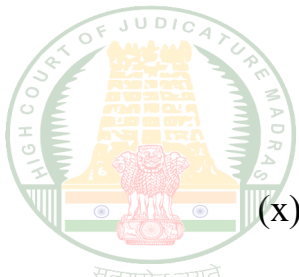
(v) The petitioner shall not, directly or indirectly, make any inducement, threat or promise to any person acquainted with the facts of the case so as to dissuade them from disclosing such facts to the Court or to any police officer.

(vi) The petitioner shall not, directly or indirectly, cause any threat to the defacto complainant, the victim girl and witnesses and shall not tamper the evidence.

(vii) The petitioner shall not leave India without the previous permission of the Court.

(viii) The petitioner shall not enter into the defacto complainant's house or her work place and shall also not try to contact the defacto complainant, victim and their family members either directly or through any electronic mode.

(ix) The petitioner shall not enter into the victim's house or her place;



Crl.O.P.No.11474 of 2026

(x) The petitioner shall furnish his residential address and mobile

number to the **learned Principal District Judge, Kallakuruchi.**

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(xi) On breach of any of the aforementioned conditions, the **learned Principal District Judge, Kallakuruchi** or Trial Court, as the case may be, is entitled to pass appropriate orders against the petitioner in accordance with law as if the aforementioned conditions are imposed by them laid down by the Hon'ble Supreme Court in *P.K. Shaji vs. State of Kerala [(2005) 13 SCC 283]*.

8. Accordingly, this Criminal Original Petition is allowed subject to the conditions stated *supra*.

20.05.2026

Index : Yes/No

Internet : Yes/No

Neutral citation : Yes/No

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Note:

1. Registry is directed to forthwith upload this order on the Official Website of this Court.

2. All concerned to act on this order being uploaded on Official Website of this Court without insisting on certified hard copies. To be noted, this order when uploaded on the official website of this Court, will be watermarked and will also have a QR code.

Page No.6 of 8



Crl.O.P.No.11474 of 2026

To
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1. The learned Principal District Judge,
Kallakuruchi.
2. The Inspector of Police,
All women Police Station,
Kallakurichi,
Kallakurichi District – 606 202.
3. The Public Prosecutor,
High Court, Madras.



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Crl.O.P.No.11474 of 2026

R.SAKTHIVEL, J.

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Crl.O.P.No.11474 of 2026

20.05.2026