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CRL OP No. 13527 of 2



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 02-06-2026

CORAM

THE HON'BLE MR.JUSTICE C.KUMARAPPAN

CRL OP No. 13527 of 2026

1. L Joseph Clament
2. J Ganaruby

..Petitioners

Vs

State rep by
The Station House Officer
Mangalam Police Station,
Puducherry.
(Cr.No.58/2026)

..Respondent

PRAYER : Criminal Original Petition filed under Section 482 of the Bharatiya Nagarik Suraksha Sanhita, Act, 2023, to enlarge the petitioners / accused on anticipatory bail in the event of arrest by the respondent in Crime No.58/2026 on the file of the Mangalam Police Station at Puducherry.

For Petitioners:

Mr.Chandrasudan R

For Respondent:

Mr.N.Palanivel
Government Advocate
(Criminal Side)

ORDER

The petitioners apprehend arrest for the alleged offence under Sections 10 and 21 of the Protection of Children from Sexual Offences Act (POCSO) in



Crime No.58 of 2026 on the file of the respondent police seek anticipatory bail.

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2. The learned counsel for the petitioners submitted that the de facto complainant had relationship with one music Director. In this regard, the 1st petitioner has given a police complaint in the year 2026 and in furtherance thereof, when the de facto complainant was examined before the Court, under the instigation of the said Music Instructor, the de facto complainant has given false statement against the 1st petitioner as if the 1st petitioner who is the biological father of the de facto complainant has committed a bad touch upon her. The 2nd petitioner not at all gave complaint against such act.

3. At this juncture, the learned Government Advocate (Criminal Side) submitted the 183 statement of the victim girl recorded on 19.05.2026. While perusing the same, she stated that when she was studying X std, the 1st petitioner has attempted to make a bad touch. Except this, there are no serious allegation against these petitioners. It is admitted fact that the 1st petitioner is the biological parent of the victim girl. The victim girl is now 22 years and admittedly there is also a complaint against the said Music Director by name Jubilson. According to the petitioners, the music Director has enticed the de facto complainant.

4. Considering the facts and circumstances of the case, taking note of the submissions made by the learned counsel on both sides, considering the totality



of the circumstances and upon the fact that there is no serious allegation against the petitioners and upon the further fact that the petitioners being the parent of the victim girl, this Court is of the firm view that custodial interrogation of the petitioners is not required. Hence, this Court is inclined to grant anticipatory bail to the petitioners.

5. 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 Sessions Judge, Fast Track Court exclusively to deal with offences under the POCSO Act, Puducherry**, 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



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Police, everyday at 10.30 a.m., for a period of three 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 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.

02-06-2026

SHL

To:

1. The Sessions Judge,
Fast Track Court exclusively to deal with offences under the POCSO Act,
Puducherry.

The Station House Officer
Mangalam Police Station,
Puducherry.

3. The Public Prosecutor
High Court of Madras



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C.KUMARAPPAN J.

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