



WEB COPY

CRL OP No. 13903 of 2



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 10-06-2026

CORAM

THE HON'BLE MR.JUSTICE C.KUMARAPPAN

CRL OP No. 13903 of 2026

Sivakumar

..Petitioner

Vs

State Rep. by
The Inspector of Police,
AWPS, Egmore,
Triplicane, Chennai District.
(Crime No. 9 of 2026)

..Respondent

PRAYER: Criminal Original Petition filed under Section 482 of Bharatiya Nagarik Suraksha Sanhita, 2023, to enlarge the petitioner on anticipatory bail in the event of his arrest by the respondent police in Crime No. 9 of 2026 on the file of the Inspector of Police, AWPS - Egmore, Triplicane, Chennai District.

For Petitioner: Mr.Kishore Kumar. R

For Respondent: Mr.N.Palanivel
Government Advocate (Crl.Side)

ORDER

The petitioner apprehends arrest for the alleged offence under Sections 5(1), 5(j)(ii) and 6 of the Protection of Children from Sexual Offences (POCSO) Act, 2012 in Crime No.9 of 2026 on the file of the respondent police seeks anticipatory bail.



2. The case of the prosecution is that the petitioner and the defacto complainant are relatives. The defacto complainant is the mother of the victim.

The petitioner and the minor girl have been in a consensual romantic relationship for the past few years. The petitioner routinely visited the defacto complainant's residence to converse with the minor. During one such visit, the petitioner and the minor engaged in consensual sexual intercourse, which resulted in the minor's pregnancy.

3. The learned counsel appearing for the petitioner submitted that both families are fully aware of this relationship and have agreed that the petitioner and the minor girl will solemnize their marriage once she attains the age of majority. It is further submitted that the petitioner has bona fide intentions and has no intention to deceive or forsake the minor. He further submitted that the petitioner is ready to abide by any conditions that may be imposed by this Court and is willing to cooperate with the investigation. Hence, he prayed for the grant of anticipatory bail to the petitioner.

4. The learned Government Advocate (Crl.Side) appearing for the respondent police reiterated the prosecution case and upon instructions, submitted that based on the statement recorded under Section 183 of the B.N.S.S., the victim became pregnant and the DNA report is yet to be received. Hence, he opposed the grant of anticipatory bail to the petitioner.



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

WEB COPY

6. Considering the facts and circumstances of the case and also taking note of the submissions made by the learned counsel on both sides that based on the statement recorded under Section 183 of the B.N.S.S., the victim became pregnant and the DNA report is yet to be received and considering the pendency of the investigation, it is too premature to consider the anticipatory bail application of the petitioner. Hence, this Court is not inclined to grant anticipatory bail to the petitioner.

7. According, this Criminal Original Petition stands dismissed.

10-06-2026

NSL

To

1. The Inspector of Police,
AWPS, Egmore,
Triplicane, Chennai District.

2. The Public Prosecutor
High Court of Madras.



WEB COPY

CRL OP No. 13903 of 2



C.KUMARAPPAN, J.

NSL

CRL OP No. 13903 of 2026

10-06-2026