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CRL OP No. 14393 of 2



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 17-06-2026

CORAM

THE HON'BLE MR.JUSTICE C.KUMARAPPAN

CRL OP No. 14393 of 2026

Paneerselvam
S/o.Semmaneri,
No. 24, Mettu Street,
Ariyalur Thirukkai,
Vikravandi Taluk- 604 402.

..Petitioner(s)

Vs

State Rep. by Inspector of Police
All Women Police Station,
Gingee.
Crime No.17 of 2026

..Respondent(s)

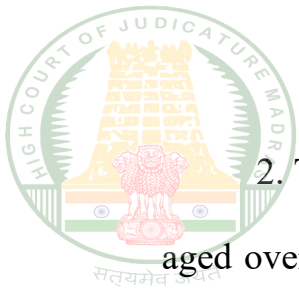
PRAYER: Criminal Original Petition has been filed to enlarge the Petitioner on bail in the event of their arrest by the respondent police in Crime No.17 of 2026 pending investigation on the file Inspector of Police, All Women Police Station, Gingee.

For Petitioner(s): Mr.D.Vasanth

For Respondent(s): MR.N.PALANIVEL,
GOVT.ADVOCATE (CRL.SIDE)

ORDER

The petitioner, who apprehends arrest at the hands of the respondent police for the alleged offence punishable under Sections 9(m), 10, 7 and 8 of the Protection of Children from Sexual Offences Act, 2012 in Crime No.17 of 2026, seeks anticipatory bail.

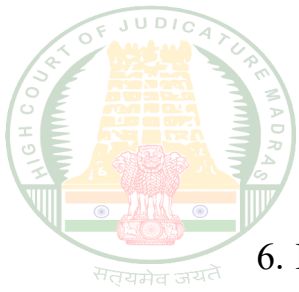


2. The case of the prosecution is that the petitioner, who is a senior citizen aged over 70 years had committed sexual assault by squeezing the chest of the victim, who is a minor aged 11 years. Hence the case.

3. The learned counsel appearing for the petitioner submitted that the petitioner is aged over 70 years, suffering from serious ailments, bedridden and dependant on others for his daily activities. He further contended that he is physically incapable of committing the alleged offence and has produced a medical certificate dated 20.04.2026 in support of his health condition. He further submitted that the petitioner is an innocent and he has been falsely implicated in this case. He is ready and willing to abide by any conditions that may be imposed by this Court. Hence, he prays for 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 under Section 183 of BNS statement were recorded from the victim on 18.05.2026, who aged about 11 years. Hence he opposed for grant of anticipatory bail to the petitioner.

5. I have given anxious consideration to the submissions made by the learned counsel on either side and also perused the records available.



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6. From the submissions on either side, it is seen that only on the pretext of misunderstanding the present application has been filed. The petitioner is 70 years old and he has got some medical ailments and he is suffering from age related arthritis. The learned Government Advocate submitted that under Section 183(5) of BNS statement recorded from the victim on 18.05.2026, who aged about 11 years. On perusal of statement recorded under Section 183 of BNS, it is seen that there are allegations in respect of bad touch. However it is the contention of the petitioner that the victim has misunderstood the petitioner. Apart from the allegation of bad touch of one attempt, there are not other allegations against the petitioner. Hence, considering the age of the petitioner i.e. 70 years and upon his medical condition and there are no serious allegations apart from bad touch, this Court is inclined to enlarge the petitioner on anticipatory bail.

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 (15) days from the date on which the order copy is made ready, before the learned Judge, Special Court, POCSO Act, Villupuram, 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:



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(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 sureties shall affix their photographs and left thumb impression in the application for surety ship (Judicial Form No.46 annexeds 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 is directed to stay at Trichy Town, for a period of two weeks;

(d) The petitioner shall report and sign before the Inspector of Police, Trichy Town Police Station, everyday at 10.30 a.m. and thereafter, shall report before the respondent police as and when required for interrogation;

(e) 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];

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

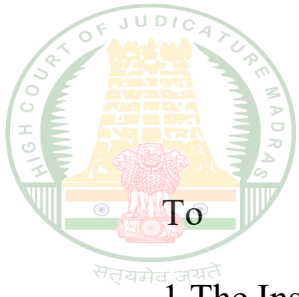
17-06-2026

Index: Yes/No

Speaking/Non-speaking order

Neutral Citation: Yes/No

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To

1. The Inspector of Police
All Women Police Station,
Gingee.

2. The Judge,
Special Court, Under POCSO Act,
Villupuram.

3. The Public Prosecutor,
High Court, Madras.



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C.KUMARAPPAN, J.

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