



CRL OP(MD). No.428 of 2026

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

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Dated : 09/01/2026

CORAM

THE HONOURABLE MRS. JUSTICE S.SRIMATHY

CRL OP(MD). No.428 of 2026

Sweetson Prabhu,

... Petitioner

Vs.

State of Tamilnadu Rep by
Inspector of Police,
Kurumbur, Police Station,
Thoothukudi District.
In Crime No.323/2025..

... Respondent

PRAYER :- For Anticipatory Bail in Crime No.323/2025 on the file of the respondent Police.

For Petitioner : Mr.B.Arun,
Advocate.

For Respondent : Mr.A.S.Abul Kalaam Azad,
Government Advocate (Crl.Side)

ORDER

The petitioner/Accused, who apprehends arrest at the hands of the respondent police for the offences punishable under Sections 296(b), 75(1)(II) and 351(2) BNS, in Crime No.323 of 2025 on the file of the respondent police, seeks anticipatory bail.



CRL OP(MD), No.428 of 2026

2. The case of the prosecution is that on 27.12.2025, the petitioner trespassed into the house of the defacto complainant and demanded a sexual relationship with her. When the same was refused by the defacto complainant, the petitioner assaulted her. Hence, the complaint.

3. The learned counsel for the petitioner submitted that the petitioner is an innocent person and he has not committed any offence as alleged by the prosecution. He further submitted that the petitioner is willing to abide by any conditions that may be imposed by this Court. Hence, he seeks anticipatory bail for the petitioner.

4. The learned Government Advocate (Crl.Side) submitted that the petitioner is not having any previous case and the investigation is pending. However, he vehemently opposed to grant anticipatory bail to the petitioner.

5. Considering the facts and circumstances of the case, this Court is inclined to grant anticipatory bail to the petitioner, subject to certain conditions.



CRL OP(MD), No.428 of 2026

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6. Accordingly, this Petition is allowed and the petitioner are ordered to be released on bail in the event of arrest or on his appearance, on condition that the petitioner shall execute a separate bond for a sum of Rs.10,000/- (Rupees Ten Thousand only) with two sureties, each for a like sum to the satisfaction of the Judicial Magistrate No.I, Srivaikuntam, within a period of fifteen days from the date of receipt of a copy of this order and on further conditions that:

[a]the petitioner and the sureties shall affix their photographs and left thumb impression in the surety bond and the Magistrate may obtain a copy of their Aadhaar card or bank pass book to ensure their identity;

[b] The petitioner shall report before the respondent police daily at 10.30 am for a period of two weeks and thereafter as and when required for interrogation.

[c]the petitioner shall not tamper with the evidence or witness either during investigation or trial.



CRL OP(MD), No.428 of 2026

[d]the petitioner shall not abscond either during investigation or trial.

[e]On breach of any of the aforesaid conditions, the learned Magistrate/Trial Court is entitled to take appropriate action against the petitioner in accordance with law as if the conditions have been imposed and the petitioner is released on bail by the learned Magistrate/Trial Court himself as laid down by the Hon'ble Supreme Court in P.K.Shaji vs. State of Kerala [(2005)AIR SCW 5560].

[f] If the accused thereafter absconds, a fresh FIR can be registered under Section 269 of BNS.

09.01.2026

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CRL OP(MD). No.428 of 2026

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TO

1. The Judicial Magistrate No.I,
Srivaikuntam.
- 2.The Inspector of Police,
Kurumbur Police Station,
Thoothukudi District.
- 3.The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.



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CRL OP(MD), No.428 of 2026

S.SRIMATHY,J

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IN
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