



CRL OP(MD). No.4305 of 2026

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 27/03/2026

PRESENT

The HONOURABLE MR. JUSTICE P. DHANABAL

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Sivakumar,
S/o.Subburam,

... Petitioner/Accused

Vs

State of Tamilnadu Rep by
Inspector of Police,
All Women Police Station
Bodinayakkanur,
Theni District.
(Crime No.11 of 2026).

... Respondent/Complainant

For Petitioner : Mr.R. Karunanidhi,
For Respondent : Mr.B.Nambi Selvan,
Additional Public Prosecutor

PETITION FOR ANTICIPATORY BAIL Under Sec.482 of BNSS

PRAYER :-

For Anticipatory Bail in Crime No.11 of 2026 on the file of the
respondent Police.

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ORDER : The Court made the following order :-

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The petitioner, who apprehends arrest at the hands of the respondent for the offences punishable under Sections 12 of the Protection of Children from Sexual Offences Act, 2012 and 296(b) of BNS (Corresponding Section 294(b) of IPC), in Crime No.11 of 2026 on the file of the respondent police, seeks anticipatory bail.

2. The case of the prosecution is that on 01.07.2025, the defacto complainant and her father entered the petitioner's office to obtain the mark sheet of her elder brother. At that time, the petitioner looked at the defacto complainant and made certain gestures towards her. Hence, the case.

3. The learned counsel for the petitioner submits that the petitioner is innocent and he was falsely implicated in this case and he is no way connected in the above said incident. He has not committed any offence as alleged by the prosecution. He further submits that no previous case is pending against the petitioner. Hence, he prays to grant anticipatory bail to the petitioner.



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4. The learned Government Advocate (Crl. Side) fairly submits that on 01.07.2025, the defacto complainant and her father entered the petitioner's office to obtain the mark sheet of her elder brother. At that time, the petitioner looked at the defacto complainant and made certain gestures towards her. He further submits that the petitioner has no previous case and also submitted that already the petitioner has lodged a complaint against the defacto complainant and his father and the same was registered in Crime No.218 of 2025 on 02.07.2025. However, he opposes to grant anticipatory bail to the petitioner.

5. Heard both sides and perused the materials available on record.

6. Considering the rival submissions on either side and the nature of offences charged against the petitioner and considering the facts that the alleged occurrence took place on 01.07.2025, however the date of FIR is on 21.02.2026 and hence, there is a delay in filing FIR and also the fact that the petitioner has lodged a complaint against the defacto complainant and his father and the same was registered in Crime No.218 of 2025 on 02.07.2025 and the petitioner has no previous case, I am



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inclined to grant anticipatory bail to the petitioner, subject to the following conditions:

[a] Accordingly, the petitioner is ordered to be released on anticipatory bail on condition to execute a 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 learned District Sessions Court (Special Court for the exclusive Trial of POCSO Act Cases), Theni, and on further conditions that:

[b] the petitioner shall report before the respondent police, on alternative Saturday at 10.30. a.m., for a period of one month and thereafter as and when required for the interrogation.

[c] the petitioner shall not commit any offences of similar nature.

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

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



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[f] On breach of any of the aforesaid conditions, the learned Judicial 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 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].

[g] If the accused thereafter absconds, a fresh FIR can be registered under Section 269 B.N.S.

(P D B J)
27.03.2026

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TO

1.The District Sessions Court (Special Court for the exclusive Trial of POCSO Act Cases), Theni,

2. Inspector of Police,
All Women Police Station
Bodinayakkanur,
Theni District.

2. The Additional Public Prosecutor,
Madurai Bench of Madras High Court, Madurai.

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P. DHANABAL,J

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ORDER
IN
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