



CRL OP(MD). No.5625 of 2026

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 23.03.2026

PRESENT

THE HONOURABLE MR.JUSTICE P.DHANABAL

CRL OP(MD)No.5625 of 2026

1.Prabhu @ Piraphakaran
2.Velladurai

... Petitioners / A1 and A2

Versus

The State of Tamilnadu,
Rep by the Inspector of Police,
Naraikinaru Police Station,
Thoothukudi District.
(Crime No.33 of 2026)

... Respondent / Complainant

PRAYER :-Criminal Original Petition filed under Section 482 of the BNSS, 2023, praying to grant anticipatory bail to the petitioners in Crime No.33 of 2026 on the file of the respondent police.

For Petitioners : Mr.S.Balaji

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



CRL OP(MD). No.5625 of 2026

ORDER : The Court made the following order :-

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The petitioners/accused, who apprehend arrest at the hands of the respondent police for the offences punishable under Sections 296(b), 118(1) and 351(3) of the Bharatiya Nyaya Sanhita, 2023, altered into Sections 296(b), 118(1) and 351(3) of the Bharatiya Nyaya Sanhita, 2023 r/w Sections 7 and 8 of the POCSO Act, in Crime No.33 of 2026 on the file of the respondent police, seek anticipatory bail.

2. The case of the prosecution is that on 10.02.2026, at about 05.00 p.m., when the defacto complainant had gone to pick up his son from the school bus, the first petitioner scolded a victim girl aged about 12 years, who is the daughter of the defacto complainant's brother-in-law. When the same was questioned by the defacto complainant, the first petitioner, on the instigation of the second petitioner, attacked the defacto complainant with a stone. Thereafter, the injured was admitted to the hospital. Hence, the case.

3. The learned counsel appearing for the petitioners submitted that the petitioners are innocent persons, they have not committed any



CRL OP(MD). No.5625 of 2026

offence as alleged by the prosecution and they have been falsely implicated in this case. He further submitted that the petitioners are law-abiding citizens and are ready and willing to furnish substantial sureties and to abide by any conditions that may be imposed by this Court. Accordingly, he prayed to grant anticipatory bail to the petitioners.

4. The learned Government Advocate (Criminal Side) appearing for the respondent police submitted that there are no previous cases against the petitioners. He also submitted that the injured has been discharged from the hospital. Accordingly, he opposed the grant of anticipatory bail to the petitioners.

5. This Court heard the learned counsel on either side and perused the materials placed on record including the statement recorded from the victim girl under Section 183 of the BNSS.

6. Considering the rival submissions made on either side, the nature of the offence, and also taking into account that the injured has already been discharged from the hospital and no previous cases are



CRL OP(MD). No.5625 of 2026

pending against the petitioners, I am inclined to grant anticipatory bail to the petitioners, subject to certain conditions.

7. Accordingly, this petition is allowed and the petitioners are ordered to be released on bail in the event of arrest or on their appearance, within a period of fifteen days from the date on which the order made ready, before the learned Judicial Magistrate, Ottapidaram, Thoothukudi District, on condition that the petitioners shall execute a bond for a sum of Rs.10,000/-(Rupees Ten Thousand only) each with two sureties, each for a like sum to the satisfaction of the respondent Police or to the Police Officer, who intends to arrest or to the satisfaction of the learned Magistrate concerned and on further conditions that:

(a) the petitioners and the sureties shall affix their photographs and left thumb impression in the surety bond and the Magistrate may obtain a copy of their Aadhar card or Bank pass Book to ensure their identity;

(b) the first petitioner shall report before the respondent police daily at 10.00 a.m. until further orders and the second petitioner shall report before the respondent police on every Saturday at 10.00 a.m. for a



CRL OP(MD). No.5625 of 2026

period of four weeks and thereafter, as and when required for interrogation;

(c) the petitioners shall not directly or indirectly make any inducement, threat or promise to any person acquainted with the facts of the case so as to dissuade them from disclosing such facts to the Court or to any police officer or tamper with the evidence;

(d) the petitioners shall not leave India without the prior permission of the Court;

(e) the petitioners shall not abscond either during investigation or trial.

(f) On breach of any of the aforesaid conditions, the learned Magistrate/Trial Court is entitled to take appropriate action against the petitioners in accordance with law as if the conditions have been imposed and the petitioners 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 of BNS.



CRL OP(MD). No.5625 of 2026

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To

- 1.The Judicial Magistrate,
Ottapidaram,
Thoothukudi District.
- 2.The Inspector of Police,
Naraikinaru Police Station,
Thoothukudi District.
- 3.The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.



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CRL OP(MD). No.5625 of 2026

P.DHANABAL,J.

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ORDER
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