



CRL OP(MD). No. 8361 of 2026

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 30.04.2026

PRESENT

THE HONOURABLE MR. JUSTICE P. DHANABAL

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Hariharan

...Petitioner/Accused

Vs

State of Tamil Nadu rep. by
The Inspector of Police,
All Women Police Station
Melur
Madurai.
(Crime No. 3 of 2026)

...Respondent

For Petitioner : Mr.M.Murugesan
Advocate.

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

PETITION FOR ANTICIPATORY BAIL Under Sec.482 of BNSS

PRAYER :-

For Anticipatory Bail in Cr.No. 3 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 5(1), 6 of POCSO Act and Section 351(2) of BNS, 2023 in Crime No. 3 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 loved each other and on the strength of the marriage promise given by the petitioner, they had sexual intercourse frequently. Later, the petitioner forced the defacto complainant for sexual intercourse, due to which the defacto complainant already lodged a complaint on 04.03.2026, wherein the petitioner undertakes not to do like this. However, on 05.03.2026, the petitioner threatened the defacto complainant stating that he will post the same through whatsapp. Hence, the case.

3. The learned counsel for the petitioner would submit 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



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offence as alleged by the prosecution. Hence, he prayed to grant Anticipatory Bail to the petitioner.

4. The learned Additional Public Prosecutor would submit that based on the complaint given by the defacto complainant, a case has been registered for the offences punishable under Sections 5(1), 6 of POCSO Act and Section 351(2) of BNS, 2023 in Crime No. 3 of 2026. He would further submit that the petitioner has no previous case. He would further submit that the statement of the victim was recorded under Section 183 of BNSS. He would further submit that the offences are grave in nature and hence, he opposed to grant anticipatory bail to the petitioner.

5. Heard both sides and perused the materials available on record including the statement of the victim recorded under Section 183 of BNSS.

6. Considering the rival submissions made on either side and the nature of offences charged against the petitioner, and considering the facts that there is a love affair between the parties and the statement of



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the victim was recorded under Section 183 of BNSS and also the petitioner has no previous case, I am 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 Special Court for Exclusive Trial of cases under POCSO Act, Madurai, and on further conditions that:

[b] the petitioner shall report before the respondent police, daily at 10.30 a.m. until further orders;

[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.

[f] On breach of any of the aforesaid conditions, the



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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)
30.04.2026

apd

To

- 1.The Special Court for Exclusive Trial of cases under POCSO Act,
Madurai.
- 2.The Inspector of Police,
All Women Police Station
Melur
Madurai.
- 3.The Additional Public Prosecutor,
Madurai Bench of Madras High Court, Madurai.



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P. DHANABAL, J

apd

ORDER
IN
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