

IN THE COURT OF DISTRICT AND SESSIONS JUDGE, MAYILADUTHURAI.

Present: Tmt. R. Sathia Thara, M.A., M.L.,
District and Sessions Judge, Mayiladuthurai.
State of Tamil Nadu.

Tuesday, this the 09th day of June 2026

2057 Thiruvalluvar Aandu Parapava Varudam on 26th day of Vaikasi Thingal

CrI.M.P. No. 689/2026

Nathiya, D/o. Boopathy

...Petitioner / Accused.

Vs

The State represented by the Sub Inspector of Police,
Perambur P.S in Cr. No.239/2026

... Respondent/Complainant.

This bail petition was coming up on 09.06.2026 before me for hearing in the presence of Thiru. V.S.Prabakaran, the learned counsel for Petitioner/accused and Tmt. A. Aruna, the learned Junior Counsel for the Additional Public Prosecutor, on behalf of State and upon considering the submissions of both side and on perusal of entire available records and having stood over for consideration till this date, this court delivered the following:-

ORDER

This petition is filed under Section 482 of Bharathiya Nagarik Suraksha Sanhita (BNSS) - 2023 to grant anticipatory bail to the petitioner / accused person for the offences alleged under sections 296(b), 115(2), 75(2), 351(3) of BNS. The respondent police has registered a case against the petitioner / accused person in Cr. No.239/2026 of Perambur P.S. The complaint was received and FIR was registered on 23.05.2026. The petitioner / accused stated that he is filing this anticipatory bail petition out of fear that the police would assault the petitioner if they arrest him.

Heard the learned counsel for the petitioner / accused person and the learned Junior Counsel for the Additional Public Prosecutor and perused the records.

On perusal of FIR, it is noted that the petitioner and the defacto complainant are working in the Saraswathi Electrical shop. On 21.05.2026 at 1.30 PM the petitioner and the defacto complainant were alone in the shop, at that time the petitioner sexually assaulted the defacto complainant. So she informed about this occurrence to her mother. When the defacto complainant's mother questioned about the occurrence the petitioner and his family members scolded them in filthy language, assaulted them with bare hands and torned her

blouse and criminally intimidated them before leaving the place and therefore FIR registered under sections 296(b), 115(2), 75(2), 351(3) of BNS.

The learned counsel for the petitioner would submit that the petitioner is willing to furnish substantial sureties and he is ready and willing to abide any conditions imposed by this court and no other bail petition is pending in any other court and therefore prays to enlarge him on anticipatory bail.

The learned Junior Counsel for the Additional Public Prosecutor would submit that the accused committed sexual assault against the defacto complainant and the investigation is still pending and strongly objected to release the petitioner / accused on anticipatory bail.

On considering the rival submissions of both parties and on perusal of available material records it is noted that the petitioner / accused had committed an offence of sexual assault. The complaint would go to show that the alleged occurrence took place on 22.05.2026. Whereas it was reported to the police station on 23.05.2026. Material part of the investigation might be over by this time. Custodial interrogation is not necessary in this case. Considering the above said facts and circumstances of the case and the nature of offences, this Court is inclined to grant anticipatory bail to the petitioner with the following conditions.

In the result, this anticipatory bail petition is allowed on the following conditions.

1. Consequently, in the event of arrest of the petitioner or on his/her surrendering before the Court concerned the petitioner is ordered to be enlarged on anticipatory bail on her execution of a bond for a sum of Rs.10,000/- with two sureties, each for a like sum to the satisfaction of the learned District Munsif cum Judicial Magistrate, Tharangambadi and on further conditions that:
2. the sureties shall affix their photographs and Left Thumb Impression in the surety bond and the learned Magistrate may obtain a copy of their Aadhar Card or Bank Passbook to ensure the identity.
3. The petitioner should surrender before the Court concerned within 15 days from the date of receipt of copy of this order.
4. **the petitioner shall report before the Inspector of Police, Respondent P.S daily at 10.30 a.m. for a period of 30 days.**
5. The petitioner should co-operate for the investigation and should not threaten the

witnesses.

6. the petitioner shall not abscond either during investigation or trial.
7. the petitioner shall not tamper with evidence or witness either during investigation or trial.
8. On breach of any of the aforesaid conditions, the 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 anticipatory bail by the Trial Court himself as laid down by the Hon'ble Supreme Court in ***P.K.Shaji/Vs/State of Kerala, [(2005) AIR S.C.W.5560]***.
9. If the accused thereafter abscond, a fresh FIR can be registered under Section 269 of BNS.

Pronounced by me in the Open Court on the 09th day of June 2026.

District and Sessions Judge,
Mayiladuthurai.

Copy to

1. The District Munsif cum Judicial Magistrate, Tharangambadi.
2. The Inspector of Police, Perambur P.S.
3. The Petitioner through his counsel.