



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 15-07-2026

CORAM

THE HON'BLE MR.JUSTICE C.KUMARAPPAN

CRL OP No. 18643 of 2026

Priya

W/o Anburaja No.2/72, Veerankovil Street,
Anbanathapuram, Kanganamputhur,
Arunmuzhithavan,
Mayiladhuthurai District- 609 203

..Petitioner(s)

Vs

The State Rep By, Inspector of Police
AWPS Mayiladuthurai Police Station,
Crime NO.27 of 2026
Mayiladuthurai District.

..Respondent(s)

PRAYER : Criminal Original Petition filed under Section 482 of the Bharatiya Nagarik Suraksha Sanhita, Act, 2023, to grant Anticipatory Bail to the Petitioner in the event of arrest by the Respondent Police in Crime NO.27 of 2026 pending investigation on the file of the respondent police, and thus render justice.

For Petitioner(s): M/S. S Sudhanthiran

For Respondent(s): MS.R.S.INDIRA,
GOVT.ADVOCATE (CRL.SIDE)

ORDER

The petitioner apprehends arrest for the alleged offence under Sections 9 and 10 of Prohibition of Child Marriage Act, 2006 and Sections 6, 5(I), 5(n) of POCSO Act, 2012 in Crime No. 27 of 2026 on the file of the respondent police seeks anticipatory bail.

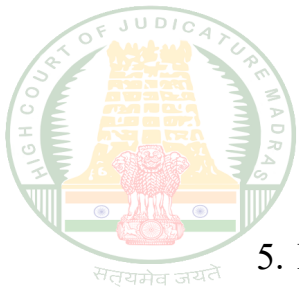


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2. The case of the prosecution is that the defacto complainant, who is a social worker, received information that on 04.06.2026 the minor victim girl was married to one Moorthy/A1 at Perambur Neelaveni Mariamman Temple. The petitioner herein/A2 is the mother of the victim girl. It is further alleged that A1 committed penetrative sexual assault on the minor victim girl, who is aged about 17 years. Hence, the case.

3. The learned counsel for the petitioner submitted that the petitioner is an innocent and she has not committed any offence as alleged by the defacto complainant and she has been falsely implicated in this case. He submits that only allegation against this petitioner is that she has arranged a marriage between A1 and the victim. He also submitted that she is ready to abide by any conditions that may be imposed by this Court and ready to co-operate with the investigation. Hence, he prayed to grant anticipatory bail to the petitioner.

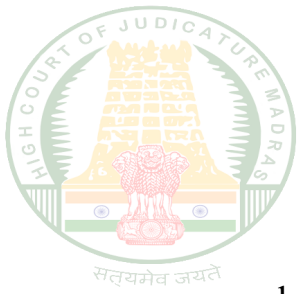
4. The learned Government Advocate (Crl.Side) appearing for the respondent police reiterated the prosecution case and submitted that 183 statement of the victim girl has also been recorded where the victim had stated only in respect of marriage beyond that she did not speak anything. However, she opposed to grant anticipatory bail to the petitioner.



5. I have given my anxious consideration to either side submissions and perused the materials available on record including statement recorded under Section 183 (5) of BNSS, Act.

6. Considering the facts and circumstances of the case, taking note of the submissions made by the learned counsel on both sides, on considering the statement of the victim girl recorded under Section 183 of BNSS dated 08.07.2026 and upon the further fact that the petitioner being the mother of the victim girl, this Court is of the firm view that custodial interrogation of the petitioner is not required. Hence, this Court is inclined to grant anticipatory bail to the petitioner, subject to certain conditions.

7. Accordingly, the petitioner is ordered to be released on bail in the event of arrest or on her appearance, within a period of fifteen (15) days from the date on which the order copy is made ready, before the **learned Session Judge, Special Court for Exclusive Trial for cases under POCSO Act, Mayiladuthurai District** on condition that **the petitioner shall execute a bond for a sum of Rs.20,000/- (Rupees Twenty Thousand only), with two sureties each**, for a like sum to the satisfaction of the learned Magistrate concerned, and on further conditions:



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(a) If the petitioner fails to surrender before the concerned learned Magistrate within a period of fifteen (15) days from the date of receipt of a copy of this order, this order shall stand automatically cancelled;

(b) The sureties shall affix their photographs and left thumb impression in the application for surety ship (Judicial Form No.46 annexed to 'The Criminal Rules of Practice, 2019']. The learned Magistrate shall obtain a copy of any one of identify proofs to ensure their identity;

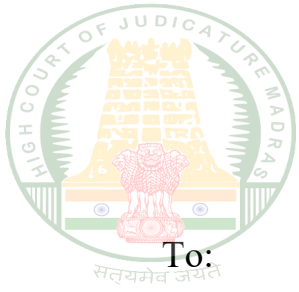
(c) The petitioner shall report before the respondent Police, everyday at 10.30 a.m., for a period of two weeks and thereafter, as and when required for interrogation.

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

(e) If the petitioner thereafter absconds, a fresh FIR can be registered under Section 269 of BNS Act.

15-07-2026

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To:

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1. The learned Session Judge, Special Court for Exclusive Trial for cases under POCSO Act, Mayiladuthurai District.
2. Inspector of Police
AWPS Mayiladuthurai Police Station,
Mayiladuthurai District.
3. The Public Prosecutor
High Court of Madras



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C.KUMARAPPAN, J.

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