



WEB COPY

CRL OP No. 23281 of 2



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 20-08-2026

CORAM

THE HON'BLE MR.JUSTICE N.RAMESH

CRL OP No. 23281 of 2026

Moorthy
S/o.Paneerselvam,
No.2/72, Veerankovil Steet,
Anbanathapuram,
Kanganamputhur,
Arunmuzhithavan,
Mayiladhuthurai District -609203.

..Petitioner(s)

Vs

The state rep by the inspector of police
AWPS Mayiladuthurai police Station,
Mayiladuthurai District.
(Crime No.27 of 2026)

..Respondent(s)

PRAYER :To enlarge the petitioner on bail pending investigation in crime no.27/2026 pending on the file of the respondent police and thus render justice.

For Petitioner(s): M. Sudhakar

For Respondent(s): Mr.M.M.I.Khaleel, Govt.Advocate (Crl.Side)

ORDER

The petitioner, who was arrested and remanded to judicial custody for the alleged offences punishable under Sections 9 and 10 of The Prohibition of Child Marriage Act, 2006 and Sections 6, 5(I) and 5(n) of The Protection of Children from Sexual Offences Act, 2012, in Crime No.27 of 2026 on the file of the respondent police, seeks bail.



2. The case of the prosecution is that the de facto complainant, a social worker, received information on 28.06.2026 alleging that the petitioner had married the victim, a 12th-standard student, and subjected her to multiple instances of sexual intercourse, leading to the registration of the present complaint

3. The learned counsel appearing for the petitioner submitted that the petitioner is an entirely innocent person and he has been falsely implicated in this case and that the petitioner herein is ready to abide by any stringent condition that may be imposed by this Court and to appear and co-operate for the investigation, and prayed to grant bail to the petitioner.

4. The learned Government Advocate (Criminal Side) appearing for the respondent police vehemently opposed the grant of bail to the petitioner. He reiterated the prosecution case and drew the attention of this Court to the statement of the victim girl recorded during the investigation. Given the extreme gravity of the offence, he prayed for the dismissal of the petition.

5. Heard the learned counsel for the petitioner and the learned Government Advocate (Criminal Side) appearing for the respondent police, and carefully perused the entire materials available on record.



6. Considering the facts and circumstances of the case, the period of incarceration undergone by the petitioner, and the nature of the offence alleged, this Court is inclined to grant bail to the petitioner, subject to the following conditions:

7. Accordingly, the petitioner is ordered to be released on bail on his executing a bond for a sum of **Rs.25,000/- (Rupees Twenty Five Thousand only) each**, with two sureties, for a like sum to the satisfaction of the Court **the Sessions Judge, Special Court for Exclusive Trial for cases under POCSO Act, Mayiladuthural District** and on further conditions that :-

[a] the sureties shall affix his 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 the identity proofs to ensure his identity;

[b] the petitioner shall report before the respondent police on everyday at 10.30 a.m., until further orders, without fail.

[c] the petitioner shall not abscond either during investigation or trial;

[d] the petitioner shall not tamper with the evidence or witness either during investigation or trial;

[e] on breach of any of the aforementioned conditions, the learned Magistrate/Trial Court is entitled to take appropriate action against the petitioner in accordance with law as if the conditions had been imposed and the petitioner released on bail by the learned



Magistrate/Trial Court itself, as laid down by the Hon'ble Supreme Court in *P.K.Shaji vs. State of Kerala [(2005)13 SCC 283]*;

[f] if the petitioner thereafter abscond, a fresh FIR may be registered under Section 269 of the Bharatiya Nyaya Sanhita, 2023.

20.08.2026

Index: Yes/No

Speaking/Non-speaking order

Neutral Citation: Yes/No

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Note:

1. Registry is directed to forthwith upload this order in the Official Website of this Court.

2. All concerned to act on this order being uploaded in Official Website of this Court without insisting on certified hard copies. To be noted, this order when uploaded in the official website of this Court will be watermarked and will also have a QR code.



To

1. The Inspector of police
AWPS Mayiladuthurai police Station,
Mayiladuthurai District.
(Crime No.27 of 2026)

2. The Sessions Judge, Special Court for Exclusive Trial for cases under
POCSO Act, Mayiladuthural District.

3. The Superintendent, Central Prison, Cuddalore.

4. The Public Prosecutor,
High Court of Madras.



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N.RAMESH, J.

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