



CRL OP(MD). No.15085 of 2026

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 22.07.2026

PRESENT

THE HONOURABLE MR.JUSTICE K. RAJASEKAR

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1.Annadurai
2.Jegajothi
3.Paranjothi
4.Sarathamani @ Saradamani
5.Maheshwari

... Petitioners / A2 to A6

Versus

The State of Tamil Nadu rep by
The Inspector of Police,
All Women Police Station,
Andipatti,
Theni District.
(Crime No.18 of 2026)

... Respondent/Complainant

PRAYER :-Criminal Original Petition filed under Section 482 of the Bharatiya Nagarik Suraksha Sanhita, 2023, seeking to enlarge the petitioners on bail in the event of arrest in Crime No.18 of 2026 on the file of the respondent police, or on their appearance.

For Petitioners : Mr.D.Pandiarajan

For Respondent : Mr.N.Balasubramanian,
Counsel for State of TN
(Criminal Side)



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ORDER : The Court made the following order :-

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2. The case of the prosecution is that the petitioners are the relatives and the parents of A1. It is alleged that A1 married the victim girl, who was aged about 17 years. It is further alleged that the petitioners, along with the other accused, actively participated in and conducted the child marriage of the victim. Thereafter, A1 allegedly committed aggravated penetrative sexual assault on the victim, which resulted in her pregnancy, and subsequently, the victim gave birth to a child. It is further alleged that A1 and his parents did not permit the victim to reside in the matrimonial home. Based on the said allegations, the present case has been registered against the petitioners and the other accused.



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3. The learned counsel appearing for the petitioners submitted that the present case has been falsely foisted against the petitioners. He further submitted that the marriage between A1 and the victim was solemnised in April 2025. He further submitted that the petitioners were not aware of the exact age of the victim at the time of the marriage. He further submitted that the petitioners are ready and willing to cooperate with the investigation and abide by any condition that may be imposed by this Court. Hence, the learned counsel prayed for the grant of anticipatory bail.

4. Per contra, the learned Counsel for State of TN (Criminal Side) reiterated the prosecution case and submitted that A1 has already been arrested and released on bail. He further submitted that the petitioners actively participated in conducting the child marriage, which facilitated the commission of the subsequent offences. He also submitted that the statement of the victim recorded under Section 183 of the Bharatiya Nagarik Suraksha Sanhita, 2023, specifically implicates the petitioners. If the petitioners are granted anticipatory bail, there is every likelihood that they may threaten or intimidate the victim. Hence, he opposed the



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grant of anticipatory bail.

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5. This Court has carefully considered the rival submissions and perused the materials available on record including the statement of the victim recorded under Section 183 of the Bharatiya Nagarik Suraksha Sanhita, 2023.

6. Considering the nature of the allegations, the fact that the petitioners are only the parents and relatives of A1, the submission that the marriage had taken place in April 2025 and that the petitioners were allegedly unaware of the exact age of the victim at the relevant point of time, the fact that A1 has already been arrested and enlarged on bail and also taking into account the fact that the petitioners have no previous criminal antecedents, this Court is inclined to grant anticipatory bail to the petitioners, subject to certain conditions.

7. Accordingly, 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 copy made ready, before the learned Special Court for POCSO Act Cases, Theni, on condition that the



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petitioners shall execute a bond for a sum of Rs.15,000/- (Rupees Fifteen Thousand only) each with two sureties each for a like sum to the satisfaction of the learned Judicial 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 petitioners shall report before the respondent police daily at 10.30 a.m. for a period of two weeks, and thereafter as and when required for the interrogation;

(c) the petitioners shall not tamper with evidence or witness either during investigation or trial;

(d) the petitioners shall not abscond either during investigation or trial;

(e) on breach of any of the aforesaid conditions, the learned 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 petitioners released on bail by the learned Magistrate/Trial Court himself as laid



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down by the Hon'ble Supreme Court in ***P.K.Shaji Vs. State of Kerala [(2005) AIR SCW 5560]***; and

(f) if the accused thereafter abscond, a fresh FIR can be registered under Section 269 of BNS, 2023.

22.07.2026

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To

- 1.The Judge,
Special Court for POCSO Act Cases,
Theni.
- 2.The Inspector of Police,
All Women Police Station,
Andipatti,
Theni District.
- 3.The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.



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K. RAJASEKAR,J.

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ORDER
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