



CRL OP(MD). No.22988 of 2024

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 27/12/2024

PRESENT

The HONOURABLE MR. JUSTICE P. DHANABAL

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1.Murugan,
S/o.Palaniyappan

2.Vairamani,
W/o.Murugan

3.Manikandan,
S/o.Murugan

4.Rajkumar,
S/o.Murugan

5.Mariappan,
S/o.Palanisamy

6.Anjalai,
W/o.Mariyappan

... Petitioners/ Accused Rank not known

Vs

The State of Tamil Nadu,
Rep by the Inspector of Police,
AWPS – Vadamadurai,
Dindigul District
Crime No.23/2024.

... Respondent/ Complainant



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For Petitioners : Mr.C.Susikumar,
Advocate.

For Respondent : Mr.M.Sakthi Kumar,
Government Advocate (Crl.Side)

PETITION FOR ANTICIPATORY BAIL Under Sec.482 of BNSS

PRAYER :-

For Anticipatory Bail in Crime No.23/2024 on the file of the respondent Police.

ORDER : The Court made the following order :-

The petitioners/ Accused, who apprehend arrest at the hands of the respondent for the offences punishable under Section 9 of Prohibition of Child Marriage Act read with Sections 5(I), 5(j)(ii) read with Section 6 of POCSO Act, 2012 in Crime No.23 of 2024 on the file of the respondent police, seek anticipatory bail.

2. The case of the prosecution is that there was a love affair between the 1st accused and the victim girl and the same was ended in an eloped marriage. The victim girl, who is the minor, is said to have 4 months pregnant. Hence, the case.

3. The learned counsel for the petitioners would submit that the 1st and 2nd



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petitioners are the father and mother of the 1st accused. The 3rd and 4th petitioners are the brothers of the 1st accused. The 5th and 6th petitioners are the parents of the victim girl. The petitioners are only the family members, and are no way connected with the alleged occurrence.

4. The learned Government Advocate (Crl. Side) would submit that there was a love affair between the 1st accused and the victim girl and the same was ended in an eloped marriage. The victim girl, who is the minor, is said to have 4 months pregnant. The offences are grave in nature and the investigation is at initial stage, already the statement of victim girl has been recorded under Section 183 of BNSS, and there are no previous cases as against the petitioners, and the prime accused has also been secured. However, opposed to grant anticipatory bail to the petitioners.

5. Heard both sides, and perused the materials available on record.

6. Considering the representations made by the learned counsel on either side, and considering the nature of offences charged against the petitioners, there are no previous cases as against the petitioners, there is a love affair between the victim and the A1 and considering the fact that the prime accused has been secured, and also



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considering the fact that the petitioners are only the family members of both the 1st accused and the victim girl, I am inclined to grant anticipatory bail to the petitioners, subject to the following conditions:

[a] Accordingly, the petitioners are 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, Dindigul.

[b] the petitioners shall report before the Special Court for Exclusive Trial of Cases under POCSO Act, Dindigul on all working days at 10.00 A.M. for a period of thirty days and thereafter, as and when required for the interrogation.

[c] the petitioners shall not commit any offences of similar nature.

[d] the petitioners shall not abscond either during investigation or trial.

[e] the petitioners shall not tamper with evidence or witness either during investigation or trial.



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[f] On breach of any of the aforesaid conditions, the learned Judicial Magistrate/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 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.

sd/-
27/12/2024

/ TRUE COPY /

/01/2025
Sub-Assistant Registrar (CS-I / II /III/ IV)
Madurai Bench of Madras High Court,
Madurai - 625 023.

cm/mkn

TO

- 1.The Judge, Special Court for Exclusive Trial of Cases under POCSO Act, Dindigul.
- 2.The Inspector of Police,
AWPS – Vadamadurai,
Dindigul District.
- 3.The Additional Public Prosecutor,
Madurai Bench of Madras High Court, Madurai.



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WEB CLERK +1 cc to MR.C.SUSIKUMAR, Advocate SR No.15952 dated 31.12.2024

ORDER
IN

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Date :27/12/2024

RK/SKN (02/01/2025) 6P / 5C

Madurai Bench of Madras High Court is issuing certified copies in this format from
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