



Crl.OP.No.8447 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

WEB COPY

DATED : 09.04.2025

CORAM

THE HONOURABLE MR.JUSTICE SUNDER MOHAN

Crl.OP.No.8447 of 2025

1. Velu

2. Vennila ... Petitioner(s) /Accused 2 & 3

Vs.

The Inspector of Police,
Ulundurpet All Women Police Station,
Ulundurpet, Kallakurichi District. ... Respondent(s)/ Complainant
Crime No.15 of 2025

Prayer: Criminal Original Petition filed under Section 482 of Bharatiya Nyaya Sanhita, 2023, to grant anticipatory bail to the petitioners/ accused 2 and 3 in the event of arrest in Crime No.15 of 2025 on the file of the respondent police.

For petitioner(s) : Mr.Krishnasamy Chinnasamy

For Respondent(s) : Mr.S.Santhosh,
Government Advocate (Crl.Side)



CrI.OP.No.8447 of 2025

WEB COPY

ORDER

The petitioner, who apprehends arrest at the hands of the respondent police for the offences punishable under Sections 318(2), 296(b) and 351(2) of BNS, 2024 r/w Section 5(1)(n) of the POCSO Act, 2012 r/w Section 9 of the Prohibition of Child Marriage Act, 2006, in Crime No.15 of 2025, seeks anticipatory bail.

2. The case of the prosecution is that the first accused and the defacto complainant were in a consensual relationship; that on the promise of marriage, the first accused had sexual intercourse with the defacto complainant; that when the defacto complainant became pregnant, the first accused refused to marry her; and that the petitioners herein arrayed as the second and third accused are the parents of the first accused who abetted the offences committed by the first accused.

3. The learned counsel appearing for the petitioners submitted that the allegations are false; and that in any case, custodial interrogation is not



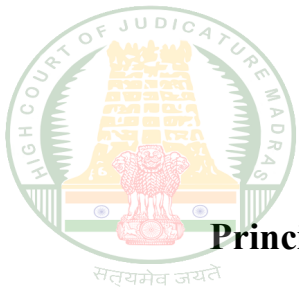
required and sought for anticipatory bail to the petitioners.

WEB COPY

4. The learned Government Advocate (Crl. Side) appearing for the respondent police, while opposing the grant of anticipatory bail to the petitioner, reiterated the prosecution case and, on instructions, submitted that the first accused and the defacto complainant were in a consensual relationship; and that when the defacto complainant became pregnant, the first accused refused to marry her, and the petitioners abetted the first accused.

5. The allegations are primarily against the first accused. The petitioner/ second and third accused are his parents. Considering the aforesaid facts, and since, custodial interrogation of the petitioners is not required for the purpose of investigation, this Court is inclined to grant anticipatory bail to the petitioners with certain conditions.

6. 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 is made ready, before the learned



Principal District & Sessions Court, Kallakurichi, on condition that the

petitioner shall execute a bond for a sum of **Rs.10,000/- (Rupees Ten Thousand only)** with two sureties for a like sum to the satisfaction of the respondent police or the police officer who intends to arrest or to the satisfaction of the learned Magistrate concerned, failing which, the petition for anticipatory bail shall stand dismissed and on further condition 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 appear before the respondent police as and when required for interrogation by the respondent police;

[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



CrI.OP.No.8447 of 2025

WEB COPY

learned 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]**;

[f] If the accused thereafter absconds, a fresh FIR can be registered under Section 269 BNS.

09.04.2025

Index : Yes/No
Speaking Order/Non Speaking Order
Neutral Citation: Yes/No
Internet: Yes/No
skr

To

1. The Inspector of Police,
Ulundurpet All Women Police Station,
Ulundurpet, Kallakurichi District.
2. The Public Prosecutor,
Madras High Court,
Chennai.



Crl.OP.No.8447 of 2025

3. Principal District & Sessions Court, Kallakurichi.
WEB COPY

SUNDER MOHAN, J.

skr

Crl.OP.No.8447 of 2025



WEB COPY



CrI.OP.No.8447 of 2025

09.04.2025