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CRL OP No. 13440 of 2025



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 29-04-2025

CORAM

THE HONOURABLE MR JUSTICE SUNDER MOHAN

CRL OP No. 13440 of 2025

1. NATHIYA

S/o. MURUGAN , NO 99
KOLLAIMADU CHINNAPUTHUR
VILLAGE PINNATHURAI TALUK
VELLORE DISTRICT

2. CHINNAPONNU

No 99 Kollaimadu Chinnaputhur
Village Pinnathurai Taluk Vellore
District

3. Ravi Jollan

No 99 Kollaimadu Chinnaputhur
Village Pinnathurai Taluk Vellore
District

Petitioner(s)

Vs

1. STATE BY Inspector of Police,
Veppamkuppam Police Station, Vellore
District. Crime No. 105 of 2025

Respondent(s)



PRAYER: To enlarge the petitioners on bail in the event of arrest by the respondent police in Crime. No. 105 of 2025 on the file of the respondent police and thus render justice.

For Petitioner(s): Mr.DThirumoorthy

For Respondent(s): Public Prosecutor

ORDER

The petitioners, who apprehend arrest at the hands of the respondent for the offences punishable under Sections 96, 87, 64(2)(m), 249(b) and 49 of BNS Act, 2023 (366 A, 366, 376(2), 212 and 109 of IPC and 5(I), 6(1) and 17 of Protection of Child from Sexual Offences Act and Section 249(b), 49, 64(2)(m), 96 of BNS Act, 2023 [212, 109, 376(2) and 366A] and 249(b), 49 and 9 and 10 Child Marriage Act, 2006 in Crime No.105 of 2025, on the file of the respondent Police, seek anticipatory bail.

2. The case of the prosecution is that the first accused, a married man developed a love affair with the victim girl aged 17 years and married her; and that the petitioners abetted the offences committed by the first accused. Hence the complaint.



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3. Learned counsel appearing for the petitioners would submit that the allegations levelled against them are false and they are no way connected with the alleged offence and sought for grant of anticipatory bail to the petitioners.

4. Learned Government Advocate (Criminal Side) appearing for the respondent police, while opposing the grant of anticipatory bail to the petitioners, reiterated the prosecution case and on instructions, submitted that first accused was arrested and is still in custody and the petitioners abetted the first accused.

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

6. Considering the nature of allegations; stage of investigation, and the overtact attributed to these petitioners 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 on 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 Exclusive Trial of Cases under POCSO Act, Vellore on condition that the petitioners shall execute a separate 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 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;

[d] the petitioners shall not tamper with evidence or



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witness either during investigation or trial;

[e] the petitioners shall not abscond either during investigation or trial;

[f] On breach of any of the aforesaid conditions, the 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 petitioner 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 of B.N.S.

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Index: Yes/No

Speaking/Non-speaking order

Internet: Yes

Neutral Citation: Yes/No



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To
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1. STATE BY Inspector of Police,
Veppamkuppam Police Station, Vellore
District. Crime No. 105 of 2025.

2. The Special Court for Exclusive
Trial of cases under POCSO Act,
Vellore.
3. The Public Prosecutor,
Madras High court.



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SUNDER MOHAN J.

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