



Crl.O.P.No.15361 of 2025

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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 21.05.2025

CORAM

THE HON'BLE MR. JUSTICE N.SENTHILKUMAR

Crl.O.P.No.15361 of 2025

Chokkalingam @ Surya

... Petitioner/A2

Vs.

The State represented by,
The Inspector of Police,
Veppamkuppam Police Station,
Vellore District.
(Crime No. 105 of 2025).

... Respondent

PRAYER: Criminal Original Petition filed under Section 483 of B.N.S.S.,
2023 to enlarge the petitioner on bail in Crime No.105 of 2025 pending
investigation on the file of the respondent police.

For Petitioner : Mr.M.Vijaya Ragavan

For Respondent : M/s.V.J.Priyadarsana
Government Advocate (Crl.Side)



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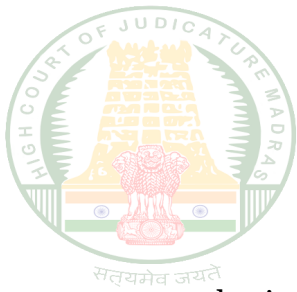
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ORDER

The petitioner/A2, who was arrested and remanded to judicial custody on 18.04.2025, for the alleged offences punishable under Section Girl Missing @ 96, 87, 64(2)(m), 249(b) and 49 of BNS Act, 2023 [366A, 366, 376(2), 212 and 109 of IPC] and Section 5(l), 6(1) and 17 of Protection of Child from Sexual Offences Act, 2012 and Sections 9 and 10 of Child Marriage Act, 2006, in Crime No.105 of 2025, on the file of the respondent police, seeks bail.

2. The case of the prosecution is that A1 and the minor victim girl were in a love affair. It is alleged that A1 married the victim girl and had sexual intercourse, without her consent and that the petitioner herein was complicit to the said marriage. Hence, the case.

3. Learned counsel appearing for the petitioner submitted that the petitioner is an innocent person and he has been falsely implicated in this case. He would submit that the petitioner is only a friend of A1 and that when A1 and the victim girl eloped and approached the petitioner, he gave accommodation to them and was not aware of the consequences. He would



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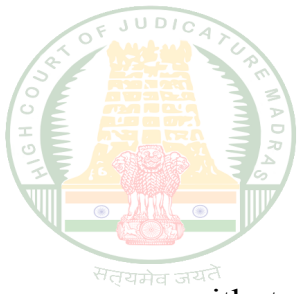
submit that the petitioner is ready to abide by any conditions that may be imposed by this Court. Hence, he prayed for grant of bail to the petitioner.

4. Learned Government Advocate for the respondent submitted that A1 married the victim girl and had sexual intercourse, without her consent and that the petitioner herein was complicit to the said marriage. He further submitted that a statement of the victim girl was recorded under Section 183 of BNSS. Thereby, he opposed for grant of bail to the petitioner.

5. Heard both sides and perused the materials available on record, including the First Information Report.

6. Considering the submissions of the learned counsels on either side and the period of incarceration undergone by the petitioner and considering that it is a matter of love affair between A1 and the victim girl, I am inclined to grant bail to the petitioner, subject to certain conditions.

7. Accordingly, the petitioner is ordered to be released on bail on his executing a bond for a sum of Rs.10,000/- (Rupees Ten Thousand only)



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with two sureties, each for a like sum to the satisfaction of the learned

Special Judge for Exclusive Trial of Cases under POCSO Act, Vellore

and on further conditions that:-

[a] 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 petitioner shall report before the Special Judge for Exclusive Trial of Cases under POCSO Act, Vellore daily at 10.30 a.m from Monday to Friday and appear before the respondent police at 10.30 a.m on every Saturday and Sunday until further orders;

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

[d] the petitioner shall not tamper with evidence or witness 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 petitioner released on bail by the learned Magistrate/Trial Court himself as laid down by the Hon'ble Supreme Court



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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 B.N.S.

21.05.2025

Anu

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 official website of this Court will be watermarked and will also have a QR code.**

To

- 1.The Special Judge for Exclusive Trial of Cases under POCSO Act, Vellore
2. The Inspector of Police,
Veppamkuppam Police Station,
Vellore District.
- 3.The Superintendent,
Central Jail, Vellore

N.SENTHILKUMAR,J.



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4.The Public Prosecutor,
High Court of Madras.



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Anu

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