



WEB COPY



Crl.O.P.No.16742 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 02.07.2025

CORAM

THE HONOURABLE MR JUSTICE M.NIRMAL KUMAR

Crl.O.P.No.16742 of 2025

Ramarajan

... Petitioner

Vs

State rep. by  
The Inspector of Police,  
Villianur Police Station,  
Villianur, Pondicherry – 605 110.  
Crime No.133 of 2025.

... Respondent

PRAYER: Criminal Original Petition filed under Section 482 of Bharatiya Nagarik Suraksha Sanhita, 2023 praying to grant anticipatory bail to the petitioner in connection with FIR No.133 of 2025 registered at Villianur Police Station, Puducherry, for the offence under Section 6 of POCSO Act and Sections 9 & 11 of the Prohibition of Child Marriage Act, 2006.

For Petitioner : Mr.D.Kaviyarasu

For Respondent : Mr.K.S.Mohandoss

Public Prosecutor (Puducherry)

ORDER

The petitioner, who apprehends arrest at the hands of the respondent Police for the offences punishable under Section 6 of POCSO Act and Sections 9 & 11 of the Prohibition of Child Marriage Act, 2006 in Crime



No.133 of 2025, on the file of the respondent Police, seeks anticipatory bail.

WEB COPY

2.The case of the prosecution is that the petitioner had physical relationship with the defacto complainant when she was a minor and became pregnant. Subsequently, marriage between the petitioner and the defacto complainant was solemnized on 27.10.2017 in the presence of their family members and a male child was born to them. Thereafter the petitioner moved from the defacto complainant and had extra-marital affair and he deserted the defacto complainant and his child for the past seven years. Hence, the case.

3.The learned counsel for petitioner submits that false allegations has been made against the petitioner. He further produced a photograph along with the typed set of papers showing that the defacto complainant married one Anand and living with him. He further submits that the petitioner is ready to abide by any stringent condition that may be imposed by this Court.

4.Learned Public Prosecutor (Puducherry) appearing for the respondent Police while opposing for grant of anticipatory bail to the

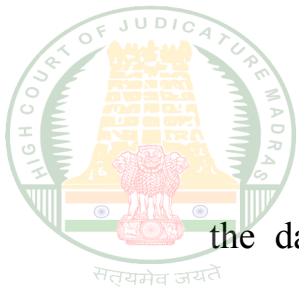


petitioner, reiterated the prosecution case. Hence, he strongly opposed for granting bail to the petitioner.

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

6.Considering the facts and circumstances of the case, it is seen that the petitioner and the defacto complainant were in love with each other and in this relationship, she became pregnant. On coming to know about it, the defacto complainant's mother arranged for the marriage and they got married on 27.10.2017. The petitioner and the defacto complainant were living happily in Bangalore. Thereafter the petitioner moved from the victim having extra-marital affair and he deserted the defacto complainant and her son for the past seven years. Further, the petitioner produced a photograph showing that the defacto complainant married one Anand and living with him. In view of the same, this Court is inclined to grant anticipatory bail to the petitioner with certain conditions.

7.Accordingly, the petitioner is ordered to be released on bail in the event of arrest or on their appearance within a period of fifteen days from



WEB COPY

the date of receipt of a copy of this order, before the learned Judicial Magistrate-III, Puducherry on condition that the petitioner shall 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 respondent Police or the Police officer who intends to arrest or to the satisfaction of the said Magistrate, on further condition that:

[a] if the petitioner fails to surrender before the said Magistrate within a period of fifteen days, this Order shall stand automatically cancelled;

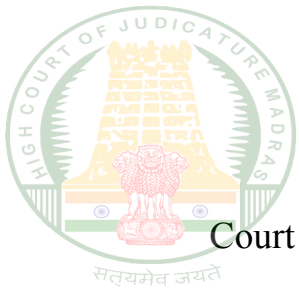
[b] The sureties shall affix their photographs and left thumb impression in the Application for Suretyship [Judicial Form No.46 annexed to 'The Criminal Rules of Practice, 2019']. The learned Magistrate shall obtain a copy of any one of the identify proofs to ensure their identity;

[c] the petitioner 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 interrogation;

[d] the petitioner shall not directly or indirectly cause any threat to the defacto complainant and witnesses and shall not tamper with evidence or witness either during investigation or trial;

[e] the petitioner shall make themselves available for interrogation by a Police officer as and when required;

[f] the petitioner to give an undertaking that if required for being identified by witnesses during investigation or for Police custody beyond the first fifteen days, they shall comply to the directions as may be given by the



CrI.O.P.No.16742 of 2025

WEB COPY

Court in this regard;

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

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

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

02.07.2025

*cse*

To

- 1.The Judicial Magistrate-III,  
Puducherry.
- 2.The Inspector of Police,  
Villianur Police Station,  
Villianur, Pondicherry – 605 110.
- 3.The Public Prosecutor,  
Madras High Court.

M.NIRMAL KUMAR, J.

*cse*



WEB COPY



CrI.O.P.No.16742 of 2025

CrI.O.P.No.16742 of 2025

02.07.2025