



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 16.07.2025

WEB COPY

CORAM

THE HONOURABLE MR. JUSTICE M.NIRMAL KUMAR

Crl.O.P.No.18503 of 2025

Ragul

.. Petitioner

Vs.

State Rep. by the Inspector of Police,
Thirukkanur Police Station,
Puducherry.
(Crime No.44 of 2025)

.. Respondent

PRAYER: Criminal Original Petition filed under Section 482 of Bharatiya Nagarik Suraksha Sanhita, 2023, to enlarge the petitioner on bail in the event of his arrest in Crime No.44 of 2025 on the file of the respondent police.

For Petitioner : Mr.P.Yuvaraj

For Respondent : Mr.K.S.Mohandass
Public Prosecutor (Pondy)



ORDER

The petitioner, who apprehends arrest at the hands of the respondent police for the alleged offences punishable under Section 6 of POCSO Act 2012 and Section 9 of the Prohibition of Child Marriage Act 2006, in Crime No.44 of 2025, seeks anticipatory bail.

2. The case of the prosecution is that the petitioner and the victim girl aged about 17 years were in love with each other and they moved closely, due to which, victim girl got pregnant and also eloped the petitioner and that when the victim girl when to Rajiv Gandhi Government Hospital for treatment, the Doctors found that she was pregnant and she is a minor and informed the respondent police. Hence, the case.

3. Learned counsel appearing for the petitioner is an innocent person and he is ready and willing to abide by any conditions that may be imposed by this Court and hence, he prays to grant anticipatory bail to the petitioner.

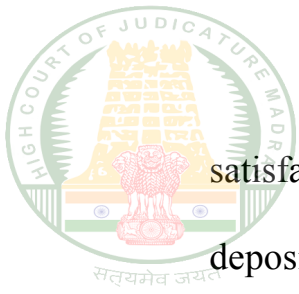


4. Learned Public Prosecutor (Pondicherry) appearing for the respondent Police while opposing the grant of anticipatory bail to the petitioner reiterated the prosecution case.

5. Heard the learned counsel for the petitioner and the learned Government Advocate (Criminal Side) for the respondent Police and perused the materials available on record

6. Considering the facts and circumstances of the case, 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 his appearance, within a period of fifteen days from the date on which the order copy made ready, before **the learned Sessions Judge Fast Track Court (POCSO Act), 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 learned Magistrate concerned, and on proof of payment of deposits, failing which, the petition for anticipatory bail shall stand dismissed and 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 identify proofs to ensure their identity;

[c] the petitioner shall report before the respondent Police 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 de facto complainant and witnesses and shall not tamper with evidence or witness either during investigation or trial;

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

[f] the petitioner to give an undertaking that if required for being identified by witnesses during investigation or for



WEB COPY



Police custody beyond the first fifteen days, he shall comply to the directions as may be given by the 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 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];

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

16.07.2025

cda



WEB COPY

Crl.O.P.No.18503 of 2



M.NIRMAL KUMAR, J.

cda/sma

To

- 1.The Sessions Judge Fast Track Court (POCSO Act),
Puducherry.
- 2.The Inspector of Police,
Thirukkanur Police Station,
Puducherry.
- 3.The Public Prosecutor,
Madras High Court, Chennai.

Crl.O.P.No.18503 of 2025

16.07.2025