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Crl.O.P.No.17830 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 25.07.2025

CORAM

THE HON'BLE MR. JUSTICE M.NIRMAL KUMAR

Crl.O.P.No.17830 of 2025

Vignesh

... Petitioner

Vs.

The State Rep. by,
The Inspector of Police,
Chengam Police Station,
Tiruvannamalai District.
Crime No.111 of 2025

... Respondent

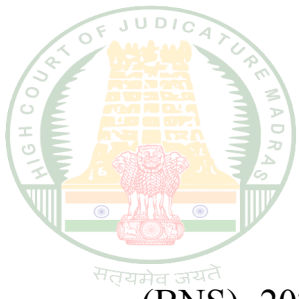
PRAYER : Criminal Original Petition filed under Section 483 of Bharatiya Nagarik Suraksha Sanhita, 2023, to enlarge the petitioner on bail in the event of his arrest in connection with Crime No. 111 of 2025 on the file of respondent Police.

For Petitioner : M/s.S.Panneer Selvam

For Respondent : Mr.Leonard Arul Joseph Selvam
Government Advocate (Criminal Side)

ORDER

The petitioner, who apprehends arrest at the hands of the respondent police for the offences punishable under Section 96 of Bharatiya Nyaya Sanhita



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(BNS), 2023 and thereafter altered to Section 87, 64(2)(f), 64(2)(m) of Bharatiya Nyaya Sanhita (BNS), 2023 Section 5(1), 5(n) r/w.6(1), 17 of Protection of Children from Sexual Offences (POCSO) Act, 2012 and Section 9 of Prohibition of Child Marriage Act, 2006 in Crime No.111 of 2025, on the file of the respondent Police, seeks anticipatory bail.

2. The case of the prosecution is that on 25.03.2025 the defacto complainant has given a complaint that her minor daughter aged 17 years was missing and her whereabouts were not known to the defacto complainant. Upon enquiry made by the respondent police, it was found that the minor girl eloped with the petitioner who is a close relative of the said girl. Based on the confession of the minor girl, the petitioner was implicated in the aforesaid case.

3. The learned counsel appearing for the petitioner submitted that pursuant to the order passed by this Court, both the parties have filed their affidavits and arrived at an understanding and agreed to have a formal marriage after some period of time. Hence, he prayed for grant of anticipatory bail to the petitioner.



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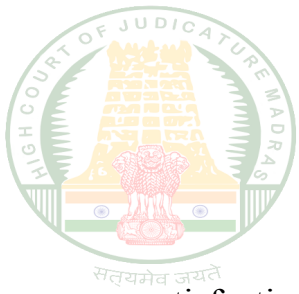
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4. Learned Government Advocate (Criminal Side) appearing for the respondent police reiterated the prosecution case and confirms the compromise entered upon between the parties.

5. Both the petitioner and the victim appeared before this Court and confirmed the compromise entered upon between them.

6. Considering the submissions made by the learned counsel appearing on either sides and taking note of the nature of the allegations and since, custodial interrogation of the petitioner is not required, this Court is inclined to grant anticipatory bail to the petitioner with certain conditions.

8. 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 **Session Judge, the Special Court for Trial of Cases under POCSO Act, Tiruvannamalai** 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



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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] 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 Surety ship [Judicial Form No.46 annexed to 'The Criminal Rules of Practice, 2019']. The learned Magistrate shall obtain a copy of any one of the identity 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;

[d] the petitioner shall not abscond either during investigation or trial and he shall make himself available for interrogation by a Police Officer as and when required;

[e] 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;;

[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, he shall



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comply to the directions as may be given by the Court in this regard;

[g] On breach of any of the aforementioned conditions, the learned Magistrate/Trial Court is entitled to pass appropriate orders against the petitioner in accordance with law as if the aforementioned 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)13 SCC 283]**;

[h] If the accused thereafter absconds, a fresh FIR can be registered under Section 269 of B.N.S.

25.07.2025

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To

1. The Session Judge, the Special Court
for Trial of Cases under POCSO Act,
Tiruvannamalai
2. The Inspector of Police,
Chengam Police Station,
Tiruvannamalai District.
3. The Public Prosecutor,
High Court of Madras.



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M.NIRMAL KUMAR, J.

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