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Crl.O.P.No.20770 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 11.09.2025

CORAM

THE HONOURABLE MRS. JUSTICE T.V.THAMILSELVI

Crl.O.P.No.20770 of 2025

1.Amirthalingam
2.Rani
Petitioners/Accused

...

Vs

The State of Tamilnadu rep by
The Inspector of Police,
Melchengam Police Station,
Melchengam,
Tiruvannamalai District.
(Crime No.179 of 2025)

... Respondent

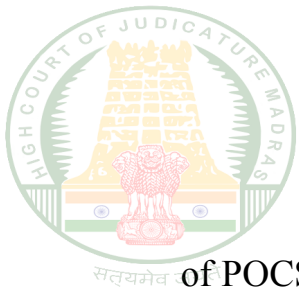
Prayer: Criminal Original Petition filed under Section 482 of Bharatiya Nagarik Suraksha Sanhita, 2023 praying to enlarge the petitioners on anticipatory bail in the event of their arrest in Crime No.179 of 2025 on the file of the respondent police.

For petitioners : Mr.Thirumalaivasan Pachiyappan

For Respondent : Mr.S.Udayakumar
Government Advocate (Crl. Side)

ORDER

The petitioners, who apprehend arrest at the hands of the respondent police for the offences punishable under Section 87 of BNS r/w 5(1), 6(c), 17



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of POCSO Act r/w Sections 9 and 10 of Child Marriage Act in Crime No.179 of 2025, on the file of the respondent police, seek anticipatory bail.

2.The case of the prosecution is that the petitioners' son/A1 had a love affair with the de-facto complainant's daughter, who is studying 11th standard. Both of them eloped and the petitioners performed their marriage. Hence, the case.

3. The learned counsel for the petitioners submitted that the petitioners are innocent persons and they had not committed any offence as alleged by the prosecution. He further submitted that the petitioners' son and the de-facto complainant's daughter were in love with each other, which was opposed by the de-facto complainant's parents. Hence, a false complaint has been lodged against the petitioners and his son. Hence, he prayed for anticipatory bail to the petitioners.

4.The learned Government Advocate (Crl. Side) appearing for the respondent police submitted that the petitioners' son and the de-facto complainant's daughter were in love with each other. De-facto complainant's daughter was studying 11th standard. Both of them eloped and the petitioners performed their marriage. Hence, he strongly opposed to grant anticipatory



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bail to the petitioners.

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5.Heard the learned counsel for the petitioners and the learned Government Advocate for the respondent Police and perused the materials available on record.

6. It is seen that it is a case of love affair and the petitioners are parents of A1. Hence, this Court is inclined to grant anticipatory bail to the petitioners with 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 **Special Court for Exclusive Trial of Cases under POCSO Act, Thiruvannamalai** on condition that the petitioners shall execute a bond for a sum of **Rs.10,000/- (Rupees Ten Thousand only) each, 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:



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[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 report before the respondent police as and when required for interrogation;

[c] the petitioners shall not tamper with evidence or witness either during investigation or trial.

[d] the petitioners shall not abscond 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 petitioners 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]**.

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

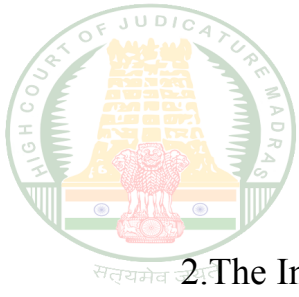
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To

1.The Special Court for Exclusive Trial of Cases
under POCSO Act, Thiruvannamalai.

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2.The Inspector of Police,
Melchengam Police Station,
Melchengam,
Tiruvannamalai District.

3.The Public Prosecutor,
High Court, Madras.



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T.V.THAMILSELVI, J.

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